Legislative Digest

Vol. 52, No. 2, 2016

Missouri State Capitol
Photo by Lee DeBroeck

This issue of The Missouri Bar's *Legislative Digest* summarizes selected bills that were Truly Agreed to and Finally Passed during the Second Regular Session of the 98th General Assembly. The *Digest* is made available to all members of The Missouri Bar.

This issue contains the following information:

1. **Topical Index of Bills. Please be aware that many bills pertain to more than one subject and may be listed under numerous headings. Also, similar or identical provisions are often included in more than one bill.**
2. **Directory** of legislative officers, lawyer-legislators and members of the General Assembly.
3. **Summaries of Bills Truly Agreed To and Finally Passed**. Bar-drafted legislative proposals or bills containing Bar-sponsored proposals are designated with an asterisk.
4. **2016 Bar Input on Selected Bills.**
5. **Information about The Missouri Bar Protest and Dues Refund Procedure.**

The gubernatorial action on each bill is noted after its short title. All bills enacted during the 2016 session and not vetoed by the governor became effective August 28, 2016, except those having emergency clauses, which become effective when signed by the governor, and those having specific operative dates.

To access a summary of the gubernatorial actions, including veto letters, connect via the Internet to http://governor.mo.gov/news/legislative-actions and select the desired information.

To view the text or summary of a particular bill, connect via the Internet to the Missouri General Assembly home page at www.moga.mo.gov and select Bill Search. Then, enter the bill number, select Full Bill Text, and select the Truly Agreed To and Finally Passed version.

If you would like a copy of a particular bill, we would be glad to obtain it for you. We can furnish only a limited number of hard copies of any bill. Send your request to: Government Relations Department, The Missouri Bar, P.O. Box 119, Jefferson City, MO 65102-0119; telephone (573) 638-2232; ewilson@mobar.org or ejennings@mobar.org.

To see the list of bills on which the Executive Committee or the Board of Governors of The Missouri Bar has taken a position of "support" or "oppose", and to see any comments shared with legislators regarding those bills, please go to our main website at www.mobar.org, click on the "Lawyer Resources" link, and then click on the "Legislation" link. The "Bar Input on Selected Bills" may be accessed from this site, in addition to information about Bar-drafted legislation, the online version of the *Legislative Digest,* and other helpful resources regarding The Missouri Bar's legislative activities.

Eric Wilson, Government Relations Counsel
Eric Jennings, Government Relations Counsel

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98TH GENERAL ASSEMBLY

Second Regular Session

Session Convened ..... January 6, 2016
Final day for floor action on bills ..... May 13, 2016
Session adjourns sine die ..... May 30, 2016
Final day for signing of bills by governor ..... July 14, 2016
Effective date of bills enacted and signed (without emergency clause and without specific effective date) ..... Aug. 28, 2016

Veto Session

First Wednesday following the second Monday in September ..... September 14, 2016

LEGISLATIVE OFFICERS

Senate

President Pro Tem .....Ron Richard 751-2173
Maj. Floor Leader .....Mike Kehoe.....751-2076
Asst. Maj. Flr. Leader .....Bob Onder.....751-1282
Min. Flr. Leader .....Joe Keaveny*
Asst. Min. Flr. Leader.....Gina Walsh 751-1598
Maj. Caucus Chair.....Eric Schmitt 751-2853
Maj. Caucus Secretary .....Jay Wasson.....751-1503
Maj. Caucus Whip .....Brian Munzlinger.....751-7985
Min. Caucus Chair .....S. Kiki Curls 751-3158
Min. Caucus Secretary.....Jason Holsman 751-6607
Min. Caucus Whip.....Maria Chappelle-Nadal.....751-4106

House of Representatives

Speaker of the House .....Todd Richardson.....751-4039
Speaker Pro Tem .....Denny Hoskins 751-4302
Maj. Flr. Leader.....Mike Cierpiot 751-0907
Asst. Maj. Flr. Leader .....Kevin Austin 751-0232
Maj. Whip .....Delus Johnson 751-3666
Min. Flr. Leader .....Jacob Hummel 751-0438
Asst. Min. Flr. Leader.....Gail McCann Beatty.....751-2124
Maj. Caucus Chair.....Shelley Keeney 751-5912
Maj. Caucus Secretary .....Mike Bernskoetter 751-0665
Min. Whip .....John Rizzo.....751-3310
Min. Caucus Vice-Chair ....Jon Carpenter.....751-4787
Min. Caucus Secretary.....Karla May 751-2198
Min. Caucus Chair .....Gina Mitten 751-2883

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1103 E Walnut St
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3271 E. Battlefield St., Suite 350
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Columbia, MO 65203

Representative William White (R)
2122 E. 47th St.
Joplin, MO 64804

Missouri Senate

Members of the General Assembly may be contacted at the room and phone numbers listed. The address is: State Capitol, Room ___, Jefferson City, MO 65101. All phone numbers should be preceded by (573) area code.

DIST.	NAME	ROOM	PHONE
16	Dan Brown (R)	422	751-5713
14	Maria Chappelle-Nadal (D)	428	751-4106
33	Mike Cunningham (R)	331	751-1882
9	S. Kiki Curls (D)	434	751-3158
30	Bob Dixon (R)	221	751-2583
31	Ed Emery (R)	426	751-2108
12	Dan Hegeman (R)	332	751-1415
7	Jason Holsman (D)	421	751-6607
6	Mike Kehoe (R)	220	751-2076
8	Will Kraus (R)	418	751-1464
25	Doug Libla (R)	219	751-4843
18	Brian Munzlinger (R)	319	751-7985
5	Jamilah Nasheed (D)	328	751-4415
2	Bob Onder (R)	226	751-1282
28	Mike Parson (R)	420	751-8793
21	David Pearce (R)	227	751-2272
32	Ron Richard (R)	326	751-2173
10	Jeanie Riddle (R)	431	751-2757
3	Gary Romine (R)	429	751-4008
29	David Sater (R)	419	751-1480
34	Rob Schaaf (R)	423	751-2183
19	Kurt Schaefer (R)	416	751-3931
26	Dave Schatz (R)	433	751-3678
15	Eric Schmitt (R)	320	751-2853
24	Jill Schupp (D)	425	751-9762
1	Scott Sifton (D)	329	751-0220
17	Ryan Silvey (R)	331A	751-5282
27	Wayne Wallingford (R)	225	751-2459
13	Gina Walsh (D)	427	751-2420
20	Jay Wasson (R)	323	751-1503
22	Paul Wieland (R)	334	751-1492
4	Vacant		
11	Vacant		
23	Vacant		

Missouri House of Representatives

Members of the General Assembly may be contacted at the room and phone numbers listed. The address is: State Capitol, Room ___, Jefferson City, MO 65101. All phone numbers should be preceded by (573) area code.

DIST.	NAME	ROOM	PHONE
86	Joe Adams (D)	105-H	751-4265
61	Justin Alferman (R)	116-2	751-6668
100	Sue Allen (R)	310	751-9765
21	Ira Anders (D)	101-E	751-5701
131	Sonya Anderson (R)	233-A	751-2948
1	Allen Andrews (R)	135-AB	751-9465
18	Lauren Arthur (D)	109-F	751-2199
136	Kevin Austin (R)	302-B	751-0232
102	Kurt Bahr (R)	408-B	751-9768
60	Jay Barnes (R)	306-A	751-2412
47	Chuck Basye (R)	201-G	751-1501
52	Nathan Beard (R)	409-A	751-9774
59	Mike Bernskoetter (R)	414	751-0665
38	T.J. Berry (R)	205	751-2238
117	Linda Black (R)	411-2	751-2317
56	Jack Bondon (R)	201-F	751-2175
55	Rick Brattin (R)	114-C	751-3783
94	Cloria Brown (R)	406-A	751-3719
57	Wanda Brown (R)	412-C	751-3971
133	Eric Burlison (R)	316	751-0136
93	Bob Burns (D)	109-E	751-0211
79	Michael Butler (D)	109-D	751-6800

DIST.	NAME	ROOM	PHONE
15	Jon Carpenter (D)	101-I	751-4787
120	Jason Chipman (R)	115-H	751-1688
30	Mike Cierpiot (R)	302-B	751-0907
80	Mike Colona (D)	107	751-6736
104	Kathie Conway (R)	114-B	751-2250
10	Pat Conway (D)	109-B	751-9755
153	Steve Cookson (R)	403-A	751-1066
64	Robert Cornejo (R)	115-B	751-1484
129	Sandy Crawford (R)	207-B	751-1167
35	Gary L. Cross (R)	112	751-1459
73	Courtney Allen Curtis (D)	135-BB	751-0855
109	Paul Curtman (R)	306-B	751-3776
162	Charlie Davis (R)	234	751-7082
98	Shamed Dogan (R)	201-C	751-4392
51	Dean Dohrman (R)	115-G	751-2204
23	Randy Dunn (D)	135-BA	751-0538
2	J. Eggleston (R)	406-B	751-4285
22	Brandon Ellington (D)	101-C	751-3129
116	Kevin Engler (R)	313-3	751-3455
68	Keith English (I)	317-A	751-9628
128	Sue Entlicher (R)	207-A	751-1347
158	Scott Fitzpatrick (R)	415-A	751-1488
144	Paul Fitzwater (R)	110-B	751-2112
49	Travis Fitzwater (R)	116-A2	751-5226
163	Tom Flanigan (R)	309	751-5458
137	Lyndall Fraker (R)	304-A	751-3819
123	Diane Franklin (R)	206-B	751-1119
121	Keith Frederick (R)	403-B	751-3834
115	Elaine Gannon (R)	304-B	751-7735
77	Kimberly Gardner (D)	109-I	751-1400
67	Alan Green (D)	102-BA	751-2135
134	Elijah Haahr (R)	410-A	751-2210
95	Marsha Haefner (R)	305-A	751-3762
40	Jim Hansen (R)	405-A	751-4028
118	Ben Harris (D)	105-A	751-2398
11	Galen Higdon (R)	412-A	751-3643
108	Justin Hill (R)	116-A1	751-3572
119	Dave Hinson (R)	411-A	751-0549

DIST.	NAME	ROOM	PHONE
54	Denny Hoskins (R)	301	751-4302
135	Lincoln Hough (R)	411-B	751-9809
43	Jay Houghton (R)	412-B	751-3649
78	Penny Hubbard (D)	105-B	751-2383
151	Tila Hubrecht (R)	203-C	751-1494
81	Jacob Hummel (D)	204	751-0438
62	Tom Hurst (R)	206-C	751-1344
9	Delus Johnson (R)	302-1	751-3666
50	Caleb Jones (R)	303-A	751-2134
156	Jeffery Justus (R)	115-D	751-1309
145	Shelley Keeney Taylor (R)	313-1	751-5912
127	Mike Kelley (R)	235	751-2165
45	Kip Kendrick (D)	106-B	751-4189
20	Bill Kidd (R)	201-E	751-3674
17	Nick King (R)	201-CA	751-1218
91	Jeanne Kirkton (D)	135-BC	751-1285
99	Andrew Koenig (R)	312	751-5568
53	Glen Kolkmeyer (R)	400-CA	751-1462
42	Bart Korman (R)	113	751-2689
82	Michele Kratky (D)	109-C	751-4220
25	Jeremy LaFaver (D)	105-J	751-2437
7	Mike Lair (R)	402	751-2917
159	Bill Lant (R)	400	751-9801
32	Jeanie Lauer (R)	413-B	751-1487
90	Deb Lavender (D)	105-I	751-4069
96	Mike Leara (R)	313-2	751-2150
146	Donna Lichtenegger (R)	314	751-6662
125	Warren Love (R)	235-BA	751-4065
122	Steve Lynch (R)	115-A	751-1446
13	Nick Marshall (R)	134	751-6593
110	Kirk Matthews (R)	203-A	751-0562
84	Karla May (D)	101-J	751-2198
97	John McCaherty (R)	401-B	751-3751
26	Gail McCann Beatty (D)	130-DB	751-2124
88	Tracy McCreery (D)	105-E	751-7535
150	Andrew McDaniel (R)	115-I	751-3629
28	Tom McDonald (D)	109-A	751-9851
39	Joe Don McGaugh (R)	236-A	751-1468

DIST.	NAME	ROOM	PHONE
36	DaRon McGee (D)	109-G	751-9469
69	Margo McNeil (D)	130-DC	751-5365
71	Sue Meredith (D)	109-I	751-4183
130	Jeffrey Messenger (R)	407-A	751-2381
124	Rocky Miller (R)	233-B	751-3604
27	Bonnaye Mims (D)	103-BA	751-7639
83	Gina Mitten (D)	101-B	751-2883
92	Genise Montecillo (D)	130-DA	751-9472
157	Mike Moon (R)	203-B	751-4077
24	Judy Morgan (D)	101-G	751-4485
140	Lynn Morris (R)	200-BC	751-2565
48	Dave Muntzel (R)	235-BB	751-0169
8	Jim Neely (R)	110-A	751-0246
87	Stacey Newman (D)	101-K	751-0100
72	Mary Nichols (D)	101-A	751-1832
132	Charlie Nor (D)	105-D	751-3795
70	Bill Otto (D)	103-BC	751-4163
74	Sharon Pace (D)	105-G	751-4726
105	Mark Parkinson (R)	200-A	751-2949
76	Joshua Peters (D)	103-BB	751-7605
33	Donna Pfautsch (R)	236-B	751-9766
138	Don Phillips (R)	135	751-3851
66	Tommie Pierson (D)	101-H	751-6845
41	Randy Pietzman (R)	201-D	751-9459
126	Patricia Pike (R)	400-CB	751-5388
89	Dean Plocher (R)	135-AA	751-1544
143	Jeff Pogue (R)	400-CC	751-2264
4	Craig Redmon (R)	111	751-3644
148	Holly Rehder (R)	404-B	751-5471
160	Bill Reiboldt (R)	303-B	751-9781
6	Tim Remole (R)	201-BA	751-6566
154	Shawn Rhoads (R)	407-B	751-1455
152	Todd Richardson (R)	308	751-4039
19	John Rizzo (D)	102-BB	751-3310
111	Shane Roden (R)	115-J	751-4567
34	Rebecca Roeber (R)	116-3	751-1456
149	Don Rone (R)	116-1	751-4085
142	Robert Ross (R)	114-A	751-1490
44	Caleb Rowden (R)	415-B	751-1169
155	Lyle Rowland (R)	413-A	751-2042
29	Rory Rowland (D)	109-H	751-3623
37	Joe Runions (D)	101-F	751-0238
114	Becky Ruth (R)	115-F	751-4451
113	Dan Shaul (R)	116-5	751-2504
16	Noel Shull (R)	201-B	751-9458
5	Lindell Shumake (R)	404-A	751-3613
85	Clem Smith (D)	105-C	751-4468
31	Sheila Solon (R)	305-B	751-8636
106	Chrissy Sommer (R)	401-A	751-1452
63	Bryan Spencer (R)	200-B	751-1460
147	Kathryn Swan (R)	115-C	751-1443
139	Jered Taylor (R)	116-4	751-3833
112	Rob Vescovo (R)	409-B	751-3607
3	Nate Walker (R)	405-B	751-3647
75	Rochelle Walton Gray (D)	105-F	751-5538
46	Stephen Webber (D)	106-A	751-9753
161	Bill White (R)	408-A	751-3791
103	John Wiemann (R)	135-AC	751-2176
12	Kenneth Wilson (R)	206-A	751-9760
58	David Wood (R)	410-B	751-2077
65	Anne Zerr (R)	315	751-3717
101	Vacant		
107	Vacant		
141	Vacant		

Key

CCS.....Conference Committee Substitute
HB.....House Bill
HCS ..... House Committee Substitute
HS .....House Substitute
HJR .....House Joint Resolution
SB.....Senate Bill
SCS ..... Senate Committee Substitute
SS ..... Senate Substitute
SJR .....Senate Joint Resolution
* ..... Bar-drafted legislative proposals or bills containing Bar-sponsored proposals

Administrative Law

CCS #2 HCS SS SB 608 – Relating to health care. (See Health and Hospital Law)

CCS HCS SS SCS SBs 865 & 866 – Relating to health care. (See Health and Hospital Law)

HCS SB 932 – Relating to regulation of bonded entities. (See Commercial Law)

CCS SB 988 – Relating to health care providers. (See Health and Hospital Law)

SS#2 SCS HCS HB 1432 – Relating to administrative leave. (See Labor and Employment)

SCS HCS HB 1713 – Relating to the regulation of water systems. (See Environmental and Energy Law)

SS#2 HCS HB 1717 – Relating to water systems. (See Environmental and Energy Law)

HCS HCR 58 – Disapproval of Missouri State Tax Commission recommendations regarding value for agricultural and horticultural land. (See Agriculture and Animal Law)

Agriculture and Animal Law

SB 641 – Relating to a deduction for compensation payments for agricultural losses. (**Vetoed** 6/28/16)

DEDUCTION FOR COMPENSATION PAYMENTS FOR AGRICULTURAL LOSSES (143.121) – This act creates an income tax deduction for payments received as part of a program that compensates agricultural producers who have suffered a loss due to disaster or emergency, for all tax years beginning on or after January 1, 2014.

SB 655 – Relating to the establishment of the fertilizer control board. (Signed 6/24/16)

FERTILIZER CONTROL BOARD (266.366) – This act repeals the Advisory Council to the Director of the Missouri Agriculture Experiment Station and establishes the Fertilizer Control Board. The Board shall perform certain duties as set forth in this act.

REGULATION OF FERTILIZER (266.301, 266.311, 266.331, 266.343, 266.347, and 266.341) – Where a preliminary analysis shows that a fertilizer has a potential plant food deficiency, the distributor shall be provided notification within 2 business days by phone or email, in addition to a letter delivered by mail. Once the analysis is certified, a certification of the penalties assessed shall be mailed to the distributor liable for the penalty. Under this act, total penalties assessed to a fertilizer distributor shall not exceed $5,000 per year, or the amount of the current value of the plant food deficiency, whichever is greater. A fertilizer distributor who knowingly violates provisions of law relating to fertilizers shall be assessed a penalty of not more than $25,000 for each offense.

SB 664 – Relating to corporate registration reports for farm corporations. (Signed 6/24/16)

CORPORATE REGISTRATION REPORT (351.120) – Under this act, such farm corporations would not have to file a corporate registration report annually with the Missouri Secretary of State if the information required by the corporate registration report has not changed since the filing of the corporation's articles of incorporation or most recent registration report.

HCS SB 665 – Relating to agriculture. (Signed 6/24/16)

QUALIFIED BEEF TAX CREDIT (135.679) – This act re-authorizes the existing Qualified Beef Tax Credit until 2021 and makes various changes to the parameters of the tax credit program. This act only allows tax credits under this section up to $15,000 per year per taxpayer and for no more than 3 years. This act also limits the amount of tax credits that may be issued under the Qualified Beef Tax Credit and the Meat Processing Facility Investment Tax Credit to $2 million per calendar year. This act requires the Agricultural and Small Business Development Authority to submit an annual report to the General Assembly on the costs and benefits of the Qualified Beef Tax Credit.

MEAT PROCESSING FACILITY INVESTMENT TAX CREDIT (135.686) – This act creates the Meat Processing Facility Investment Tax Credit Act. For all tax years between 2017 and 2021, a taxpayer may claim this tax credit for meat processing modernization or expansion at their processing facility. The tax credit shall be equal to 25% of the amount the taxpayer paid in the tax year for modernization and expansion. This tax credit is

non-refundable but may be carried forward 4 years, and a taxpayer may not claim more than $75,000 per year. If two or more taxpayers own the facility, each may claim a credit in proportion to their ownership interest in the facility, but taken together all tax credits for one facility cannot exceed the $75,000 cap.

AGRIMISSOURI TRADEMARK (261.235) –This act authorizes the AgriMissouri Advisory Commission to continue to adopt a fee structure for sellers electing to use the AgriMissouri trademark associated with agricultural products, as long as the fees established and collected do not yield revenue greater than the costs of administering the objectives of the AgriMissouri Advisory Commission and the AgriMissouri trademark to sellers using the trademark in the ensuing year.

FARM-TO-TABLE PROGRAM (262.960, 262.962, & 348.407) – This act changes the "Farm-to-School Act" and program to the "Farm-to-Table Act" and program. Under this act, the program will connect Missouri farmers to institutions (including schools, correctional facilities, hospitals, nursing homes, long-term care facilities, and military bases) in order to provide such institutions with locally grown agricultural products. This act also requires the Department of Agriculture to establish guidelines for voluntary participation and parameters for program goals, which shall include the requirement that participating institutions purchase at least 10% of their food products locally by December 31, 2019. The act also modifies the composition of the Farm-to-Table Task Force. The Task Force is required to prepare a report for the Governor, General Assembly, and the Director of each entity represented on the Task Force by December 31 of each year. This act repeals the current expiration date of December 31, 2015.

AGRICULTURAL PRODUCT UTILIZATION CONTRIBUTOR TAX CREDIT & NEW GENERATION COOPERATIVE INCENTIVE TAX CREDIT (348.430, 348.432, and 348.436) – Currently, the Agricultural Product Utilization Contributor Tax Credit and the New Generation Cooperative Incentive Tax Credit may be carried back to any of the contributor's 3 prior tax years, and may be carried forward up to 5 years. This act only allows the Agricultural Product Utilization Contributor Tax Credit and the New Generation Cooperative Incentive Tax Credit to be carried forward up to 4 years, and removes the carry back provision. This act requires the Agricultural and Small Business Development Authority to submit an annual report to the General Assembly on the costs and benefits of the Agricultural Product Utilization Contributor Tax Credit and the New Generation Cooperative Incentive Tax Credit. This act extends the expiration of the credits from December 31, 2016, to December 31, 2021.

PER BARREL MOTOR FUEL INSPECTION FEE (414.082) – Currently, the fee for the inspection of certain motor fuels shall not be less than 1.5 cents per barrel and shall not exceed 2.5 cents per barrel. Under this act, the per barrel fee shall not exceed 4 cents per barrel from 2017 to 2021, and shall not exceed 5 cents per barrel from 2022 and thereafter.

SB 844 – Relating to livestock trespass. (**Vetoed** 6/28/16)

LIVESTOCK TRESPASS LIABILITY (272.030 and 272.230) – Currently, if any horses, cattle, or other livestock break through any fence or trespass onto another's property, the owner of such animal is strictly liable for damages sustained by the animal to another's property. Under this act, the owner of such animal would only be liable for damages sustained to another's property if the animal owner was negligent. This act also repeals a duplicative section relating to livestock trespass.

CCS HCS SB 994 – Relating to alcohol. (**Vetoed** 7/1/16)

THE MISSOURI WINE AND GRAPE BOARD (262.823) – Under this act, the Missouri Wine and Grape Board would also be able to oversee and provide any professional or legal services to promote its marketing goals.

LIQUOR LICENSES AND PERMITS (311.060) – Under this act, any person whose dealer license or permit has been revoked shall be eligible to work as an employee of an establishment holding a license 5 years after the person's license revocation, and such person shall be able to reapply for a new license or permit after 5 years. Any license or permit reapplication after 5 years shall be issued at the discretion of the Division of Alcohol and Tobacco Control.

LIQUOR SALES AT RETAIL ON A BOAT (311.091) – This act allows a person to receive a license to sell liquor by the drink on any boat licensed by the United States Coast Guard to carry 30 or more passengers, rather than the previous limitation of 100 or more passengers. This act also repeals a provision that allows a person to get a license to serve liquor by the drink at retail for consumption on a boat that can carry 45 to 99 passengers and is on Table Rock Lake.

CONTROLLED LIQUOR SELF-DISPENSING SYSTEMS (311.205) (See Local Government Law, SS SCS SB 919)

SELLING ALCOHOL THROUGH MOBILE APPLICATIONS (311.950) – Under this act, entertainment facilities such as arenas and stadiums shall not be prohibited

from selling alcoholic beverages through the use of mobile applications, as defined in the act, if such facilities possess requisite licenses and permits.

SCS HB 1414 – Relating to agricultural data disclosure. (**Vetoed** 7/8/16)

VOLUNTARY PARTICIPANT AGRICULTURAL PRODUCER DATA DISCLOSURE (261.130) – Under this act, certain information on an agricultural producer or owner of agricultural land in connection with such producer or owner's voluntary participation in a government program that is maintained by the Missouri Department of Agriculture or the Missouri Department of Natural Resources shall not be considered a public record and subject to public disclosure. The Missouri Department of Agriculture and the Missouri Department of Natural Resources may disclose such information under certain conditions as set forth in this act.

ANIMAL DISEASE TRACEABILITY PROGRAM DATA DISCLOSURE (267.169) – Under this act, certain data relating to animals shall not be considered a public record and shall not be subject to disclosure except under certain circumstances set forth in this act. Any person who knowingly releases such data may be subject to civil action, and a court may order any appropriate relief including damages up to $10,000 and reasonable attorney's fees.

HCS HCR 58 – Disapproval of Missouri State Tax Commission recommendations regarding value for agricultural and horticultural land. (Truly Agreed To and Finally Passed 1/28/16)

This resolution disapproves the regulation filed by the State Tax Commission on December 29, 2015, that establishes new values for certain agricultural and horticultural property based on the land's productive capability.

Business Law

SB 624 – Relating to stealing. (See Criminal Law)

SB 664 – Relating to corporate registration reports for farm corporations. (See Agriculture and Animal Law)

HCS SB 665 – Relating to agriculture. (See Agriculture and Animal Law)

SS SCS SB 838 – Relating to the transfer of wireless telephone numbers. (Signed 6/6/16)

TRANSFER OF BILLING RESPONSIBILITY OF WIRELESS TELEPHONE (455.050 and 455.523) – Under this act, the court may order a wireless service provider to transfer the billing responsibility and rights of a wireless telephone number from a wireless account holder, including the rights to the wireless telephone number of any minor children, to a petitioner when the petitioner has obtained an order of protection against the account holder. The order shall list certain information regarding the petitioner as set forth in this act, and the court is required to ensure that such information is not provided to the account holder. When a wireless service provider cannot operationally or technically effectuate a transfer of billing responsibility due to reasons set forth in this act, the wireless service provider shall notify the petitioner within 3 business days of receiving the request. Upon transferring the billing responsibility and rights of a wireless telephone number, the petitioner shall assume all financial responsibility for the transferred wireless telephone numbers, including costs set forth in this act. This act does not affect the ability of the court to apportion assets under law, or to determine temporary use, possession, and control of personal property. Further, under this act no cause of action shall exist against a wireless service provider for actions taken under the authority of this act.

CCS HCS SB 994 – Relating to alcohol. (See Agriculture and Animal Law)

SCS HB 1582 – Relating to withholding tax returns. (See Taxation and Revenue)

SCS HCS HB 2030 – Relating to tax deductions for employee stock ownership plans. (**Vetoed** 6/28/16)

TAX DEDUCTION FOR EMPLOYEE STOCK OWNERSHIP PLANS (135.495) – For all tax years beginning on or after January 1, 2017, a taxpayer may deduct from their federal adjusted gross income used to determine their Missouri adjusted gross income an amount up to 50% of the net capital gain from the sale or exchange of employer securities of a Missouri corporation to a qualified employee stock ownership plan if the employee stock ownership plan includes at least 30% of all outstanding employer securities. Under this act, a Missouri corporation must notify a departing employee of the deadline for when the former employee must decide whether they will receive their shares or the fair market value for any shares of employer securities. The act shall expire six years after enactment unless reauthorized by an act of the General Assembly.

Civil Procedure

***CCS HCS SCS SB 578 – Relating to judicial proceedings.** (Signed 7/13/16) (See Commercial Law)

SCS SB 591 – Relating to expert witnesses. (See Judicial Administration)

SB 624 – Relating to stealing. (See Criminal Law)

SS #2 SB 847 – Relating to evidence for the cost of medical care and treatment. (**Vetoed** 6/28/16)

COLLATERAL SOURCE RULE (490.715) – Under the act, special damages claimed by the plaintiff at trial that have been satisfied by a payment from a defendant, the defendant's insurer, or authorized representative prior to trial are not recoverable. The defendant is entitled to deduct such payments towards special damages from any judgment as provided in current law. Parties may introduce evidence of the actual cost, rather than the value, of the medical care or treatment to the plaintiff, and repeals a provision of law which provides that there is a rebuttable presumption that the value of the medical treatment provided is represented by the dollar amount necessary to satisfy the financial obligation to the health care provider. The actual cost of the medical care or treatment shall not exceed the dollar amounts paid by or on behalf of a patient whose care is at issue plus any remaining amount necessary to satisfy the financial obligation for medical care by a health care provided after adjustment for any contractual discounts, or price reduction.

***SS HCS HB 1765 – Relating to civil proceedings.** (Signed 7/13/16)

ADMINISTRATION OF ESTATES (404.717, 456.3-304, 456.4B-411, 456.590, 456.7-706, 469.467, 473.050) – Currently, if an attorney in fact or his or her successor, appointed to act as agent pursuant to a written power of attorney, acts in bad faith, fraudulently or dishonestly then the attorney in fact shall be liable to the principal or the principal's successors in interest for damages as well as attorney's fees. This act provides that the attorney in fact shall be liable if she or he engages in willful misconduct or fraud or acts with willful disregard for the purposes, terms, or conditions of the power of attorney. For the purposes of the act "successors in interest" include those who can prove that they have been damaged as a result of the attorney in fact's actions.

The act provides that when a non-charitable irrevocable trust is modified or terminated without a court order pursuant to current law, a beneficiary, who is not a qualified beneficiary, may be represented in such nonjudicial proceedings by a qualified beneficiary who has substantially identical interests.

Under current law, a court may modify or terminate a non-charitable irrevocable trust which became irrevocable on or after January 1, 2005, upon finding that the interests of nonconsenting beneficiaries will be protected, and terminating or modifying the trust does not affect the material purpose of the trust. This act provides that a court may modify or terminate all non-charitable irrevocable trusts, which meet such conditions.

The act also repeals a provision of law regarding the termination and modification of a trust instrument that became irrevocable prior to January 1, 2005.

Under current law, a settlor, co-trustee, or a qualified beneficiary may request the court to remove a trustee or the trustee may be removed by the court's own initiative. This act specifies that a court may also replace the trustee. When a corporation is the trustee being removed the successor trustee shall be selected by the court.

The act provides that the Principal and Income Act shall apply to every trust or decedent's estate existing on or after August 28, 2001, rather than solely to those trusts or decedents' estates existing on August 28, 2001.

Current law provides that for letters of administration to be issued an application must be made to the court within one year of the death of the decedent. This act provides that this time limit rule applies on the issuance of letters of administration except as provided under current law that when a will is presented to the probate court within the proper time limits, then administration may be granted on the will at any time after presentation.

UNIFORM POWERS OF APPOINTMENT ACT (404.710, 456.970 - 456.1135, 456.5-508) – This act creates the Missouri Uniform Powers of Appointment Act, and unless provided in the terms of an instrument creating a power of appointment the act shall be the law governing powers of appointment.

The act applies to a power of appointment created before, on, or after the act's effective date. The act shall apply to judicial proceedings concerning a power of appointment commenced before the effective date of the act unless the court finds the application of a particular provision would interfere substantially with the conduct of the proceeding or prejudice a right of a party.

The act also modifies existing law regarding power of attorney by specifying that the authority of an attorney in fact authorized in the power of attorney to disclaim a gift or devise of property to or for the benefit of the principal includes the ability of the attorney in fact to disclaim or release any power of appointment granted to the principal and to disclaim all or part of the principal's interest in appointive property. A power of attorney can also grant an attorney in fact the authority to exercise, revoke or amend the release of, or contract to exercise any power of appointment granted to the principal.

The act repeals provisions which provide that a creditor may not attach trust property or beneficial interests subject to the power of appointment, obtain a court order forcing judicial sale, compel the exercise of the power, or reach the trust property by any other means.

RESPITE CARE (475.125) – The act provides that a court's orders for the management of the estate of a protectee may include respite care.

BANKRUPTCY (513.430) – The act allows a person to exempt firearms, firearm accessories and ammunition, not to exceed $1,500, from attachment in bankruptcy proceedings.

COMMERCIAL RECEIVERSHIP ACT (515.500 - 515.665) – (See Commercial Law, CCS HCS SCS SB 578)

NEGLIGENCE SUITS AGAINST MENTAL HEALTH PROFESSIONALS (516.105) – This act provides that all actions against mental health professionals for damages for malpractice or negligence related to health care shall be brought within two years from the date of occurrence of the act, with exceptions as provided in the act.

INDIVIDUALS LATER DETERMINED TO BE INNOCENT (650.058) – The act modifies the definition of "actually innocent" for an individual who was found guilty of a felony and later determined innocent and qualifies for payments of restitution. In addition to current requirements, the act adds that when a court's stated reason for revocation is the conviction for the crime for which the person is later determined to be innocent such order shall be conclusive evidence that the parole was revoked in connection with the crime for which the person has been exonerated, regardless of any other basis which may exist for the revocation.

SS SCS HCS HB 1862 – Relating to landlords and tenants. (See Property Law)

Commercial Law

***CCS HCS SCS SB 578 – Relating to judicial proceedings.** (Signed 7/13/16)

CIRCUIT COURT MARSHAL (476.083) – The act allows the presiding judge of any circuit containing a diagnostic and reception center operated by the Department of Corrections and a mental health facility operated by the Department of Mental Health which houses certain persons specified in the act to appoint a circuit court marshal. (13th Judicial Circuit, Callaway County)

ADDITIONAL CIRCUIT JUDGE POSITION (478.330) – This act provides that when an annual judicial performance report indicates for three consecutive years that a judicial circuit is in need of two or more full-time judicial positions then, subject to appropriations, there shall be one additional circuit judge position authorized in that circuit.

26TH JUDICIAL CIRCUIT (478.705) – The act also adds a circuit court judge to the Twenty-Sixth Judicial Circuit. The judge shall be elected in 2020, and until such time, the Governor shall appoint someone to serve as judge.

BANKRUPTCY (513.430) – The act allows a person to exempt firearms, firearm accessories, and ammunition, not to exceed $1,500, from attachment in bankruptcy proceedings.

COMMERCIAL RECEIVERSHIP ACT (515.500 - 515.665) – Currently, Missouri law regarding receiverships is largely based on case law, in addition to very limited statutory authority. As a result, receivership law can be somewhat confusing and inconsistently applied.

The Missouri Commercial Receivership Act clarifies the manner in which receivers are appointed to take control of the assets and operations of commercial entities. In particular, the Act (a) specifies the situations in which receivers may be appointed; (b) sets forth the requirements for a party to serve as a receiver; (c) specifies the powers that may be granted to receivers; (d) provides reporting requirements for receivers; and (e) establishes judicial immunity for receivers. The Act also distinguishes between general receiverships, in which a receiver is appointed to take control of all or substantially all of a debtor's assets, and limited receiverships, in which a receiver is only appointed to take control of specific property.

***CCS HCS SB 833 – Relating to financial transactions.** (See Property Law)

HCS SB 932 – Relating to regulation of bonded entities. (Signed 7/1/16)

FEDERAL CREDIT UNIONS (370.230) (See Commercial Law, HB 1721, below)

FEDERAL HOME LOAN BANKS (375.971) – This act modifies the Uniform Insurer's Liquidation Act by enacting new provisions relating to federal home loan banks. Specifically, federal home loan banks may not be stayed or prohibited from exercising its rights regarding collateral pledged by an insurer-member. Furthermore, any federal home loan bank which does assert its rights in such circumstances is required to repurchase any outstanding

stock that exceeds the amount of bank stock the insurer-member is required to hold as a minimum investment, provided that the bank determines in good faith that such repurchase is permissible under current law. The act also requires federal home loan banks to establish a time line to govern the handling of collateral within ten days after a receiver's appointment. The time line shall establish the release of certain collateral, redemption or repurchase of federal home loan bank stock and payment of fees owed by insurers regarding federal home loan bank accounts. The act specifies that a receiver cannot void transfers or obligations to transfer any property associated with any federal home loan bank security agreement. However, the act provides an exception for when any transfer is made with intent to hinder, delay or defraud the insurer, the receiver or creditors.

SECRETARY OF STATE DATABASE (486.245) – The Secretary of State is required to maintain a database including the information that is contained on each notary's seal or any lost seal of a notary public.

ELECTRONIC SIGNATURE AS NOTARIZATION (486.275) – The act also provides that a signature or record will be deemed notarized if the electronic signature of the notary is attached with the signature or record.

REGISTRATION OF NOTARY SEALS (486.285) – A manufacturer of a notary public's seal is required to register with the Secretary of State and communicate with the Secretary when the manufacturer issues a seal to someone in Missouri. Failure to do so can result in a one thousand dollar fine for each violation.

LOST, MISPLACED, OR DESTROYED NOTARY SEALS (486.305) – Any notary public who loses or misplaces their journal of notarial acts or official seal must immediately provide written notice of the fact to the Secretary of State. For a lost or misplaced official seal, upon receipt of the written notice, the Secretary of State is required to issue the notary a new commission number for the notary to order a new seal. The Secretary of State may post notice on the Secretary of State's website notifying the general public that the lost or misplaced notary seal and commission number of that notary is invalid and is not an acceptable notary commission number. If a notary public's official seal is destroyed, broken, damaged, or otherwise rendered inoperable, the notary must immediately provide written notice of that fact to the Secretary of State.

CESSATION OF NOTARY DUTIES (486.310) – If any notary public no longer desires to be a notary public, he or she must mail or deliver to the Secretary of State a letter of resignation and their notary seal, and their commission will cease to be in effect. The Secretary of State may post notice on the Secretary of State's website notifying the general public that the notary is no longer a commissioned notary public in the state of Missouri.

IMPERSONATION OF A NOTARY PUBLIC (486.375) – A person who unlawfully acts as a notary public is guilty of a Class E felony, rather than a misdemeanor punishable by a fine of less than five hundred dollars or by imprisonment for less than six months.

HB 1721 – Relating to credit union supervisory committees. (Signed 6/6/16)

FEDERAL CREDIT UNIONS (370.230) – This act removes the provision requiring a credit union supervisory committee to make a direct verification of members' share and loan accounts once every two years with a reasonable statistical sampling of members accounts being made in alternate years, and instead requires that it make a verification of members' share and loan accounts in the same manner and with the same frequency as required by federal law for federal credit unions.

***SS HCS HB 1765 – Relating to civil proceedings.** (See Civil Procedure)

SCS HB 2125 – Relating to savings programs. (Signed 6/13/16)

ABLE ACT (209.600, 209.605, 209.610, AND 209.630) – This act provides that the assets of the ABLE program shall at all times be preserved, invested, expended, and distributed only for the purposes set forth in current law as well as Section 529A of the Internal Revenue Code. Current law provides that no property rights in ABLE assets shall exist in favor of the state. This act removes that provision.

SAVINGS PROMOTION PROGRAMS (408.800 TO 408.830) – The act further permits eligible financial institutions are permitted to offer and conduct savings promotion programs. A savings promotion program is a contest offered by an eligible financial institution that offers participants chances to win prizes if they make a minimum deposit into an eligible account.

Criminal Law

***HCS SCS SBs 588, 603 & 942 – Relating to petitions for the expungement of records.** (Signed 7/13/16)

SURCHARGE FOR EXPUNGEMENT CASES UNDER SECTION 610.140 (488.650) – Current law requires a $100 surcharge to be paid for petitions for ex-

pungement of criminal records. This act raises the amount of the surcharge to $250 and provides that the judge may waive the surcharge if the petitioner is indigent.

EXPUNGEMENT OF CERTAIN CRIMINAL RECORDS (610.140) – Under current law, a person may petition the court in which the person was found guilty for the expungement of records relating to a list of specified offenses. A person may file multiple petitions throughout the state and have multiple offenses expunged, but may only file one petition per circuit court.

Under current law, entities possessing records relating to an expunged offense must destroy the records. This act provides that the entities must close, not destroy, the records and repeals provisions allowing for the blacking out of certain records. Also, repealed is a provision requiring expunged records to be removed from electronic files maintained by the state.

This act repeals the limitation on the number of petitions per circuit court, allows a person who was arrested but not sentenced to apply for expungement, and allows a person to petition, over the course of a lifetime, for the expungement of records for any number of infractions, no more than two misdemeanor offenses or ordinance violations that carry jail time, and no more than one felony offense. If the violations or offenses were charged at the same time or involve the same course of conduct, the person may include all the related offenses or violations in the same petition and it only counts as a petition for one offense or violation. This act lists certain crimes and ordinance violations that may not be expunged.

Current law requires the petitioner to name as defendants any entity that has records related to the offense the petitioner is seeking to have expunged. This act adds municipal prosecuting attorneys to the list of entities.

Current law requires a person to wait 20 years for a felony and 10 years for a misdemeanor before being eligible to file an expungement petition. This act allows a person to file a petition after three years for the expungement of records relating to a finding of guilt for a misdemeanor, ordinance violation, or infraction, or an arrest for any type of offense or violation. A petition to expunge a finding of guilt for a felony may be filed seven years after completion of the sentence.

This act modifies the information that must be on the petition and repeals a provision of current law requiring the court to dismiss a petition if all the required information is not included.

This act allows the prosecutor to object within 30 days or receipt of the petition, and if the prosecutor does object, the court must hold a hearing within 60 days. If no objection is filed, the court may hold a hearing. This act modifies the list of things the court may consider at the hearing. In addition, this act provides that a rebuttable presumption is created that the expungement is warranted if the petitioner meets the criteria. A victim of the offense, violation, or infraction must have an opportunity to be heard at any hearing under this act and the court may make a determination based solely on the victim's testimony.

Current law allows the court to order expungement if the petitioner meets the listed criteria. This act requires the judge to enter the order if the petitioner meets the criteria. The court must issue an order within six months of the filing of the petition.

This act expands a provision of current law that requires a person granted an expungement to disclose a closed offense when completing an application for certain types of licenses, permits and employment. Employers are required to notify applicants of specific disclosure requirements under this act. This act provides that a person who has been granted an expungement to answer "no" to an employer's inquiry into whether the person has ever been convicted of a crime if the person has no public record after the granting of the expungement. The person must disclose expunged criminal convictions if the employer is required to exclude applicants with certain criminal convictions due to federal or state law.

The court must dismiss a petition for expungement under current law if the petitioner has not met the statutory criteria. This act provides that the petition must also be dismissed if the petitioner has knowingly provided false information in the petition.

This act requires the court to make a form available for pro se petitioners seeking expungement.

DELAYED EFFECTIVE DATE (Section B) – **The act has an effective date of January 1, 2018.**

HCS SS #2 SCS SB 590 – Relating to crime. (Signed 7/13/16)

In June 2012, the U.S. Supreme Court in Miller v. Alabama held that mandatory life sentences without parole for criminal offenders who were under 18 at the time they committee first degree murder are unconstitutional. As a result, there is no punishment for first degree murder under current law in Missouri that is enforceable against those who committed murder before they turned 18.

FIRST DEGREE MURDER PENALTY FOR PERSON UNDER EIGHTEEN YEARS OF AGE (565.020, 565.033) – This act repeals the mandatory life sentence found to be unconstitutional in Miller v. Alabama. Under this act, a person who was under the age of 18 at the time of the first degree murder may be sentenced to life without eligibility for parole, life with eligibility for parole, or a term of imprisonment at least 30 years and not more than 40 years. A list of factors for the judge or jury to consider when assessing punishment is provided.

WRITTEN NOTICE FILED TO SEEK LIFE WITHOUT PAROLE (565.034) – This act establishes procedures for when a prosecutor intends to seek a sentence of life without parole. A person found guilty of murder in the first degree who was under the age of 18 at the time of the offense is eligible for a sentence of life without parole only if a unanimous jury, or a judge in a jury-waived sentencing, finds beyond a reasonable doubt that the defendant personally inflicted the injury that caused the death of the victim and at least one of an enumerated list of aggravating factors exists.

REVIEW OF SENTENCE (558.047) – A person who was sentenced to life imprisonment without parole prior to August 28, 2016 for a crime committed before the person turned 18 years of age is eligible for a parole hearing after serving 25 years. A person who was sentenced on or after August 28, 2016 to any term of imprisonment except life without parole for an offense of first degree murder committed before the person turned 18 years old is eligible for a parole hearing after serving 25 years and is eligible for another hearing after serving 35 years. This act specifies the factors that the parole board must consider at the hearings.

These provisions have an emergency clause.

TRIAL PROCEDURE AND REVISED CRIMINAL CODE CHANGES (565.030, 565.032, 565.040) – This act repeals obsolete provisions stating that certain trials are to proceed in a single stage. Other technical changes were made in this act to make the provisions align with amendments to the criminal code in SB 491 (2014).

SCS SB 591 – Relating to expert witnesses. (See Judicial Administration)

SB 624 – Relating to stealing. (Signed 6/6/16)

STEALING (570.010 & 570.030) – Under this act, it is a Class B felony to physically take or attempt to take property from a person when the property is owned by or in the custody of a financial institution. Physically taking property from a person is currently a Class D felony, unless the property is $25,000 or more in which case it is a Class C felony. Financial institution is defined as a bank, trust company, savings and loan association, or credit union.

FRAUDULENT PROCUREMENT OF A CREDIT OR DEBIT DEVICE (570.135) – This act adds a new element to the crime of fraudulent procurement of a credit or debit device: a person commits the Class A misdemeanor if he or she knowingly possesses a fraudulently obtained credit or debit device.

This act specifies that business entities must not be held criminally liable for accepting fraudulent applications for credit or debt devices or using fraudulent credit or debit devices in transactions without clear and convincing evidence that the business conspired with the fraudulent procuring of the credit or debit devices. This provision takes effect January 1, 2017.

CCS HCS SB 656 – Relating to weapons. (See Local Government Law)

HCS SS SCS SB 657 – Relating to motor vehicles. (See Tort & Transportation Law)

CCS HCS SCS SB 765 – Relating to public safety. (See Local Government Law)

CCS SCS SB 921 – Relating to victims of crime. (Signed 7/1/16)

TEEN DATING VIOLENCE AWARENESS MONTH (9.172) – This act designates February as the "Teen Dating Violence Awareness Month" in Missouri.

DOMESTIC VIOLENCE INCIDENT REPORTING (43.545, 455.543, 455.545) – This act removes the statutory reference to the "Crime in Missouri" compilation and provides instead that all reported domestic violence incidents must be reported for compilation in the annual crime report published by the Department of Public Safety. This act removes time requirements in current law for the required reporting by law enforcement agencies of domestic-violence related homicides and suicides to the Missouri State Highway Patrol. In addition, this act requires the Highway Patrol to present its annual report on domestic-violence related homicides and suicides to the Governor and General Assembly by March 1 rather than February 1.

HIGHER EDUCATION MEMORANDA OF UNDERSTANDING (173.2050) – This act also requires the governing board of each public institution of higher education in Missouri to engage in discussions with law enforcement agencies and to enter into a memorandum of understanding (MOU) concerning sexual assault, domestic violence, dating violence, and stalking involving students on and off campus.

The MOU shall contain detailed policies and protocols regarding sexual assault, domestic violence, dating violence, and stalking involving students that comports with the best and current professional practices, and set out the procedural requirements for the reporting of an offense, protocol for establishing jurisdiction, and criteria for determining when an offense must be reported to law enforcement.

COMPENSABLE MENTAL HEALTH SERVICES FOR VICTIMS OF CRIME (595.030) – Under current law, compensation paid for mental health services from the Crime Victims' Compensation Fund may only be paid if the service was provided by certain licensed professionals. This act adds licensed board-certified psychiatric-mental health clinical nurse specialists and nurse practitioners to the list.

VICTIMS' RIGHTS (595.209) – Under current law, victims of certain specified crimes automatically have certain enumerated rights. Victims of other types of crimes have the same rights upon written request. This act adds victims of sexual offenses and victims of domestic assault to the list of crime victims who automatically have the enumerated rights.

HCS HB 1562 – This act contains provisions relating to victims of crime, stalking, and sex trafficking. (Signed 6/22/16)

RECORDS OF CHILD VICTIMS OF SEX OFFENSES (510.035, 545.950, and 595.226) – Under this act, any visual or aural recordings or photographs of a minor, if that minor is alleged to be a victim of a sexual offense, created by or in the possession of a child assessment center, health care provider, or multidisciplinary team, shall not be copied or distributed to any individual or entity except as specifically provided in the act or as required by Supreme Court rule or a court order. The following persons or entities may access or share any copies of recordings or photographs for the following reasons: (1) Members of a multidisciplinary team for investigatory and related purposes; (2) Department of Social Services employees and their legal counsel for the provision of child protection and for administrative proceedings; (3) Department of Mental Health employees and their legal counsel for investigatory purposes and administrative proceedings; (4) the Office of the Child Advocate for reviews; (5) the Child Abuse and Neglect Review Board for reviews; and (6) the Attorney General as part of a legal proceeding.

If a court orders the copying or distribution of the recordings or photographs, the order shall limit the use of such recordings or photographs, prohibit further copying, and either require the return of the copies upon final disposition of the case or an affidavit certifying the destruction of such copies. In a criminal proceeding, the defendant's attorney, investigator, consulting legal counsel, or other agent shall not copy or distribute to a third party any recordings or photographs unless a court orders the copying or distribution upon a showing of good cause, notice and a hearing, and consideration of the safety and privacy interests of any victim. The defendant's attorney, investigator, consulting legal counsel, or other agent may allow a defendant, witness, or prospective witness to view such recordings or photographs, but shall not allow such person to have any copies.

Under current law, any information contained in any court record that could be used to identify or locate a victim of a sexual offense, domestic assault, or stalking is closed and redacted from such record prior to disclosure to the public. This act includes visual or aural recordings, including unobstructed visual images of the victim's face or body, in the information to be closed and redacted.

STALKING (565.225) – This act adds the act of knowingly accessing, or attempting to access, the address of a participant of the address confidentiality program administered by the Secretary of State to the elements of aggravated stalking.

Beginning in 2017, as a result of SB 491 (2014), aggravated stalking will be known as stalking in the first degree. This act also adds the act of knowingly accessing, or attempting to access, the address of a participant of the address confidentiality program to the elements of first degree stalking.

SEX TRAFFICKING (566.209, 566.210, 566.211, 566.212, and 566.213) – Under current law, a person commits trafficking for the purposes of sexual exploitation if he or she knowingly recruits, entices, harbors, transports, provides, or obtains another person for sexual conduct, a sexual performance, or the production of explicit sexual material without his or her consent. This act adds, as an element to the crime, advertising the availability of another person for sexual conduct or a commercial sex act without his or her consent.

Under current law, a person commits sexual trafficking of a child by knowingly recruiting, enticing, harboring, transporting, providing, or obtaining a child to participate in a commercial sex act, a sexual performance, or the production of sexually explicit material. This act adds, as an element of sexual trafficking of a child, advertising the availability of a child to participate in a commercial sex act, a sexual performance, or the production of explicit sexual material.

ADDRESS CONFIDENTIALITY PROGRAM (589.660) – Under current law, the Secretary of State

administers a program to protect victims of domestic violence, rape, sexual assault, or stalking by assigning substitute addresses to such victims. State and local government agencies must accept the substitute address when creating public records relating to a participant in the program.

This act provides that victims of human trafficking may also participate in the program.

SS HB 1733 – Relating to the regulation of vehicles. (See Tort and Transportation Law)

SS #2 SCS HCS HB 2332 – Relating to restructuring the Missouri criminal code. (Signed 7/13/16)

FELONY CLASSIFICATIONS (192.2260, 301.559, 339.100, 400.9-501, 571.020 - 571.072, 632.520, and B) – During the 2014 session, the General Assembly passed a large-scale revision of the Missouri Criminal Code, which included the addition of a Class E felony and a modification of the terms of imprisonment for Class C, D, and E felonies. Under current law, the maximum term for a Class C felony is seven years and the maximum term for a Class D felony is four years. Beginning January 1, 2017, when SB 491 (2014) takes effect, the term of imprisonment for a Class C felony will be three to 10 years, the maximum term for a Class D felony will be seven years, and the maximum term for a Class E felony will be four years. To reflect the change in the authorized terms of imprisonment, this act modifies several crimes once classified as Class C felonies to make them Class D felonies and crimes once classified as Class D felonies have become Class E felonies.

ELDER ABUSE REPORTING (192.2405, 192.2410, 192.2475 & 565.188) – Under current law, certain types of people must report to the Department of Health and Senior Services if the person has reasonable cause to suspect that a person 60 years of age or older or an eligible adult has been subject to abuse or neglect. This act provides that reports only need to be made if the victim is an eligible adult. The act further adds emergency medical technicians, firefighters, and first responder to the list of mandated reporters. A provision regarding an investigation of abuse by a in-home services client manager and local area agency on aging training is repealed.

FELONY CLASSIFICATIONS FOR OFFENSES OUTSIDE THE CODE (557.021) – Currently, for offenses outside the criminal code, if the felony is for a maximum term of imprisonment of less than ten years, it shall be considered a Class D felony and if the maximum term is four years, it shall be considered a Class E felony. This act provides that to be considered a Class D felony, the maximum term shall exceed four years but be less than years and maximum term to be considered a Class E felony shall four years or less.

OFFENSE OF CONSPIRACY (562.014) – This act modifies the offense of conspiracy by providing that if a person conspires to commit a number of offenses, such person can be found guilty of only one offense of conspiracy if the multiple offenses are the object of the same agreement.

LAW ENFORCEMENT USE OF FORCE (563.046) – Current law provides that the use of physical force when making an arrest is not justified unless the arrest is lawful or the officer reasonably believes the arrest is lawful. This act adds a provision stating that the use of force when making an arrest is also not justified unless the amount of force used was objectively reasonable in light of the totality of the facts and circumstances confronting the officer, regardless of the officer's intent or motivation.

Under current law, a law enforcement officer may use deadly force when he or she reasonably believes the force is immediately necessary to effect an arrest and reasonably believes the suspect has committed or attempted to commit a felony, is attempting to escape by use of a deadly weapon, or may otherwise endanger life or seriously injure another person. This act allows a law enforcement officer to use deadly force when effecting an arrest or preventing an escape from custody if the officer reasonably believes the force is immediately necessary to make the arrest or prevent the escape and reasonably believes the person has committed or attempted to commit a felony involving the infliction or threatened infliction of serious physical injury, is attempting to escape by use of a deadly weapon or dangerous instrument, or may otherwise pose a threat of serious physical injury to the officer or others unless arrested without delay. This provision contains an emergency clause.

FIRST DEGREE MURDER (565.030 - 565.040) – This act repeals obsolete provisions stating that certain trials are to proceed in a single stage. Other technical changes were made in this act to make the provisions align with amendments to the criminal code in SB 491 (2014).

CRIMINAL NONSUPPORT (568.040) – This act removes a reference to the issue of good cause from a provision providing that the defendant has the burden of injecting certain issues.

SECOND DEGREE TAMPERING (569.090) – This act updates an intersectional reference to the stealing statute, which was reconfigured under the 2014 Criminal Code revision.

INTOXICATION-RELATED BOATING AND TRAFFIC OFFENSES (577.001, 577.010, 577.012, 577.013, 577.014, and 577.037) – This act provides that a person is an "aggravated boating offender" if he or she has been found guilty of two or more intoxication-related boating offenses committed on separate occasions when at least one of the incidents involved the defendant injuring or killing another person while operating a vessel while intoxicated. In addition, this act reinserts county and municipal ordinance violations of driving under the influence of alcohol or drugs into the definition of "intoxication-related traffic offense". Such municipal and county ordinance violations are included in the definition under current law, but not in the Revised Code. The definition of "persistent offender" was also modified under the act to include a person who has been found guilty of one intoxication-related traffic offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed. Similar changes were made to the definition of "persistent boating offender". This act specifies that habitual offenders of intoxication-related traffic and boating offenses must serve two years in prison before being eligible for probation. Under the Revised Code, if a chemical test demonstrates a blood alcohol content of less than .08, any criminal charge related to the operating of a vehicle, vessel, or aircraft while intoxicated or with excessive blood alcohol content must be dismissed unless certain other evidence exists. This act removes the reference to offenses of operating a vehicle, vessel, or aircraft with an excessive blood alcohol content from this provision, so it only applies to operating a vehicle, vessel, or aircraft while intoxicated.

OFFENSE OF LEAVING THE SCENE OF AN ACCIDENT (577.060) – This act provides that the offense of leaving the scene of an accident is a Class E felony if the defendant has previously been found guilty of the same offense.

AGROTERRORISM (578.007) – Current law provides that certain crimes, including agroterrorism, do not apply to a list of activities, such as bona fide scientific experiments and the killing of garden pests. During the Criminal Code revision, agroterrorism was renumbered. This act inserts the new statute number for agroterrorism to the statute providing the list of exempt activities.

MARIJUANA POSSESSION (579.015) – Under the marijuana possession provision that takes effect January 1, 2017, the offense of possession of more than 10 grams but less than 36 grams of marijuana or synthetic cannabinoid is a Class A misdemeanor. This act specifies that the offense of possession of more than 10 grams but 35 grams or less of marijuana or synthetic cannabinoid is a Class A misdemeanor.

Education and School Law

SCS SBs 586 & 651 – Relating to elementary and secondary education. (**Vetoed** 5/4/16) (**Overridden** 5/5/16)

CURRENT OPERATING EXPENDITURES / STATE ADEQUACY TARGET (163.011) – This act modifies the definition of "current operating expenditures" by removing the 2010 expiration date on the 5% per calculation cap on the growth of current operating expenditures. The act also modifies the definition of "state adequacy target". The recalculation of the state adequacy target shall never result in a decrease from the state adequacy target as calculated for fiscal years 2017 and 2018 and any state adequacy target figure calculated subsequent to fiscal year 2018.

EARLY CHILDHOOD EDUCATION (163.018) – The act clarifies that charter schools shall receive early childhood education funding at the same time as the district in which the charter school is located.

This act contains an emergency clause.

SCS SBs 620 & 582 – Relating to career and technical education. (Signed 6/13/16)

CTE CERTIFICATES AND MINIMUM REQUIREMENTS (170.029) – This act requires the state board of education and career and technical education advisory council to establish minimum requirement for a career and technical education certificate (CTE) that a student can earn in addition to their high school diploma. Students entering high school in the 2017-18 school year and thereafter will be eligible for a CTE certificate. Each local school district shall determine the curriculum, programs of study, and course offerings based on the needs and interests of the students in the district, and no later than January 1, 2017, the Department of Elementary and Secondary Education shall develop a process for recognition of a school district's CTE certificate program.

CTE STUDENT PROTECTION ACT (178.550) – This act also modifies the composition of the Career and Technical Education Advisory Council. Instead of the Governor appointing the Advisory Council's current eleven members, the Commissioner of Education will make these appointments. This act also expands the Advisory Council's membership to include two senators, one from each party, appointed by the President Pro Tempore of the Senate, and two representatives, one from each party, appointed by the Speaker of the House of Representatives. The four legislative members will serve on the Advisory Council until they resign, are no longer members of the General Assembly, or are replaced by new appointments.

CCS SCS SB 638 – Relating to elementary and secondary education. (Signed 6/22/16)

MISSOURI CIVICS INITIATIVE (170.011 and 170.345) – This act requires the subject of American civics to be included in the exam required for graduation from any public or private school, other than proprietary schools. Any student entering ninth grade after July 1, 2017, who is attending a public, charter, or private school, except for private trade schools, shall pass an examination on the provisions and principles of American civics.

The test will consist of one hundred questions similar to the one hundred questions used by the United States Citizenship and Immigration Services. Each district must adopt a policy permitting a student with a disability to receive a waiver from the basic civics test requirement if the student's IEP committee recommends it.

CONSTITUTION PROJECT (170.350) – This act also allows a school district to recognize a student's participation in the Constitution Project of the Missouri Supreme Court, as described in the act.

DYSLEXIA SCREENING AND SUPPORT (167.950) – By December 31, 2017, this act requires the Department of Elementary and Secondary Education to develop guidelines for the appropriate screening of students for dyslexia and related disorders and to develop the necessary classroom support for such students. Beginning in the 2018-19 school year, each public school, including charter schools, shall conduct dyslexia screenings and provide reasonable classroom support consistent with the guidelines developed by the Department of Elementary and Secondary Education. Additionally, practicing teacher assistance programs shall include two hours of in-service training regarding dyslexia and related disorders provided by each school district for all practicing teachers. Such training shall count as two contact hours of professional development.

LEGISLATIVE TASK FORCE ON DYSLEXIA (633.420) – This act also creates the Legislative Task Force on Dyslexia. The Task Force will advise and make recommendations to the Governor, Joint Committee on Education, and relevant state agencies. The Task Force will consist of twenty members, as described in the act. Except for four legislative members and the Commissioner of Education, the members will be appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives. The task force will make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia, as described in the act. The Task Force will hire or contract for hire specialist services to support the work of the Task Force as necessary with appropriations or from other available funding. The Task Force will terminate on August 31, 2018.

REMEDIAL EDUCATION AND PERSONAL PLANS OF STUDY (167.903, 167.905, and 173.750) – This act requires that by July 1, 2018, each school district shall implement a system for identifying students in their ninth grade year who are at risk of not being ready for college-level work or for entry-level career positions, as described in the act. This act also requires DESE to conduct a review of its policies and procedures relating to remedial education and present the results of such review to the Joint Committee on Education by October 31, 2017. This act allows each student entering his or her ninth grade year to develop a personal plan of study. The plan of study shall include graduation requirements, career or postsecondary goals, coursework related to career or postsecondary goals, grade-appropriate and career-related experiences, and student assessments, interest inventories, or academic results.

BONDING REQUIREMENTS FOR SCHOOL DISTRICT OFFICERS (162.541) – For treasurers and secretaries of the boards of urban school districts, this act modifies bonding requirements by requiring that such officers enter into bonds with one or more sureties instead of two or more sureties.

SCHOOL BOARD VACANCIES (162.073 and 162.261) – This act provides that if any seven-director district, other than an urban district, that is located in a county without a county commission has more than two vacancies at any one time, the county executive shall fill the vacancies upon written notice of the vacancies with the advice and consent of the county council.

CPR INSTRUCTION IN SCHOOLS (170.310) (See Education and School Law, SB 711)

PLEDGE OF ALLEGIANCE IN SCHOOLS (171.021) – This act requires that all public schools shall ensure that the Pledge of Allegiance is recited in at least one scheduled class of every pupil at least once per school day rather than once per school week. This act also allows flags for display in classrooms to be provided by voluntary donation.

CHARTER SCHOOLS (160.400, 160.403, 160.405, 167.241, 160.408, 160.410, 160.415, 160.417, and 167.131) – This act amends numerous provisions relating to charter schools. Among other provisions, this act provides that charter schools shall meet current state academic performance standards as well as other standards agreed upon by the sponsor and the charter school in the performance contract; requires the Department of Elementary

and Secondary Education to withhold funding to assure all obligations of the charter school are met if a sponsor notifies a charter school of closure; provides that the Missouri Charter Public School Commission shall be exempt from the charter school sponsor application and approval process; repeals a provision that prohibits new sponsors from commencing charter sponsorship without approval from the State Board of Education; allows a charter school to have an expedited renewal process if it has an annual performance report consistent with a classification of accredited for three of the last four years and is fiscally viable; requires the Department of Elementary and Secondary Education to calculate an annual performance report for each charter school and shall publish it in the same manner as for public school districts; allows high-quality charter schools, as defined in the act, to have expedited opportunities to replicate and expand into unaccredited districts, the St. Louis City school district, and the Kansas City school district; requires charter schools to enroll nonresident pupils who transfer from an unaccredited district; and requires that a charter school's admission process shall not discriminate based on parents' ability to pay fees or tuition when enrollment capacity is insufficient to enroll all pupils who submit a timely application.

EARLY LEARNING QUALITY ASSURANCE REPORT (161.216 and 161.217) – This act repeals the prohibition of a quality rating system for early childhood education. This act also establishes an early learning quality assurance report three year pilot program in collaboration with the Missouri Head Start Collaboration Office and the Departments of Health and Senior Services, Mental Health, and Social Services. The program is voluntary for any licensed, license-exempt, or certified early learning providers that are center-based or home based and providing services for children from any age up to kindergarten. The early learning quality assurance report may include, but is not limited to, information regarding staff qualifications, instructional quality, professional development, health and safety standards, parent engagement, and community engagement.

GIFTED EDUCATION (162.720 and 163.031) – This act prohibits school districts from determining whether a child is gifted based on the child's participation in an advanced placement course or international baccalaureate course. Whether a child is gifted must be determined using the statutory definition of "gifted children". Beginning with the 2017-2018 school year, this act also reduces a district's funding as described in the act when it experiences a decrease in its gifted program enrollment of 20% or more from the previous school year. This provision shall not apply to school districts with an average daily attendance of three hundred fifty or less.

A+ SCHOOLS PROGRAM (160.545) – This act allows a qualifying student of a nonpublic school to be eligible for reimbursement of post-secondary education through the A+ program, as described in the act.

TRAUMA-INFORMED SCHOOLS INITIATIVE (161.1050 and 161.1055)) – This act establishes the Trauma-Informed Schools Initiative. The Department of Elementary and Secondary Education (DESE) shall provide information regarding the trauma-informed approach, as described in the act, to all school districts, offer training on the trauma-informed approach to all school districts, and develop an informational website about the Trauma-Informed Schools Initiative. Subject to appropriations, this act also establishes the Trauma-Informed Schools Pilot Program, under which DESE shall choose five schools to receive intensive training, as described in the act, on the trauma-informed approach. The schools shall be chosen as described in the act. DESE shall terminate the pilot program on August 28, 2019. By December 21, 2019, DESE shall submit a report to the General Assembly containing the results of the program, including any benefits experience by the participating schools. The pilot program shall be funded through the Trauma-Informed Schools Pilot Program Fund, which is created by the act.

SB 655 – Relating to the establishment of the fertilizer control board. (See Agriculture and Animal Law)

SB 711 – Relating to cardiopulmonary instruction in schools. (Signed 6/14/16)

CPR INSTRUCTION IN SCHOOLS (170.310) – Beginning with the 2017-18 school year, this act requires high school pupils in public schools and charter schools to have received thirty minutes of CPR instruction and training in the proper performance of the Heimlich maneuver or other first aid for choking prior to graduation. The act also requires the training to be included in the district's existing health or physical education curriculum.

SCS SB 968 – Relating to tuition rates for members of the military. (See Veterans and Military Law)

CCS HCS SB 997 – Relating to higher education. (Signed 6/6/16)

This act amends numerous laws relating to higher education. Among other provisions, this act amends provisions relating to:

PUBLIC SERVICE LOAN FORGIVENESS (105.1445) – This act requires the Department of Higher Education

to create guidance regarding notice of public employee eligibility for public service loan forgiveness by January 1, 2017. Public employers may use this guidance to provide notice to their employees. On or before April 1, 2017, the governing body of each public employer shall adopt a policy that provides up-to-date, accurate, and complete information to each new employee regarding eligibility within 10 days of the start of employment. Public employers shall provide current employees with the same information on or before June 30, 2017.

POSTSECONDARY COURSE OPTIONS (167.223) – This act allows any Missouri public two-year college, including the State Technical College of Missouri, to offer postsecondary course options to high school students.

HIGHER EDUCATION WEBSITES (173.005 and 173.035) – This act requires the Coordinating Board for Higher Education to publish and maintain on its website a list of higher education institutions that meet certain requirements, as described in the act. This act also requires the Department of Higher Education to develop and maintain a website containing information for public and private institutions of higher education that directs students to certain information as described in the act. An institution's inclusion of information on the website shall be voluntary.

DUAL CREDIT SCHOLARSHIP ACT (173.2505 and 173.2500) – The act establishes a process through which the Coordinating Board for Higher Education shall certify an institution of higher education as an approved dual credit provider. This act establishes the "Dual Credit Scholarship Act", which shall provide funds, subject to appropriation, for eligible students enrolled in dual credit courses. The act creates the "Dual Credit Scholarship Fund", which shall consist of moneys appropriated by the General Assembly and private donations made to the fund.

15 TO FINISH ACT (173.2510) – This act establishes the "15 to Finish Act". The Coordinating Board, in cooperation with public institutions of higher education, shall develop policies that promote the on-time completion of degree programs by students. The policies shall include defining on-time completion, providing financial incentives for students on pace to graduate in no more than eight semesters, implementing banded tuition, and reducing the number of credit hours required to earn a degree.

GUIDED PATHWAYS TO SUCCESS ACT (173.2515) – This act establishes the "Guided Pathways to Success Act". The Coordinating Board, in cooperation with public institutions of higher education, shall create a pilot program that shall include at least two of the following: majors organized into semester-by-semester sets of courses that lead to on-time completion; degree-based transfer pathways between participating institutions; available meta-majors, as defined in the act; student commitment to a structured schedule of courses; and clear degree maps, proactive advising, as defined in the act, and guarantees that required courses are available when needed by students.

CONCURRENT ENROLLMENT PILOT PROGRAM (173.2520) – The Coordinating Board shall establish a concurrent enrollment pilot program, in which students are enrolled in courses at both a four-year and two-year participating institution at the same time and for which the coursework is officially recorded by both institutions. The purpose of the pilot program is to provide a broader range of academic and student support services while streamlining the path to degree completion.

WARTIME VETERAN'S SURVIVOR GRANT (173.234) – This act also reauthorizes the Wartime Veteran's Survivor Grant program, which provides higher education financial aid to the spouses and children of wartime veterans. Children and spouses of injured veterans shall be covered by this program if they were children or spouses within five years subsequent to the injury.

This provision shall sunset on August 28, 2020, unless reauthorized by the General Assembly. This provision contains an emergency clause.

MISSOURI HIGHER EDUCATION CORE CURRICULUM TRANSFER ACT (178.780 to 178.789) – This act creates the Missouri Higher Education Core Curriculum Transfer Act, which establishes a standard core curriculum and a common course numbering system for lower division courses at community colleges and public four-year institutions of higher learning.

HIGHER EDUCATION EMPLOYEE SPOUSE TRAVEL EXPENSES (Section 1) – This act requires the spouse of any full-time employee of a public institution of higher education to file a quarterly travel report with the Missouri Ethics Commission, as described in the act, if he or she incurs out-of-state travel costs that are paid or reimbursed by his or her spouse's institution.

HIGHER EDUCATION INSTITUTION HEALTH CARE PLANS (103.003) – The act creates a new process under which a participating higher education entity may join and leave the Missouri Consolidated Health Care Plan ("MCHCP").

SCR 66 – Relating to the University of Missouri System Review Commission (Adopted 5/3/16)

This concurrent resolution establishes the University of Missouri System Review Commission. The Commission shall be composed of eight members: four appointed by the Speaker of the House and four appointed by the President Pro Tempore of the Senate. The Commission shall review the University of Missouri System (UM), including but not limited to the UM Collected Rules and Regulations, administrative structure, campus structure, auxiliary enterprises structure, degree programs, research activities, and diversity programs. The Commission shall conduct a thorough review of the system and prepare a report detailing any recommended changes. The System shall adopt and implement these changes and the adoption and implementation of such recommendations, or lack thereof, shall be considered by the General Assembly during the appropriations process.

SCS HCS HB 1583 – Relating to student safety. (Signed 6/3/16)

ANTIBULLYING POLICIES (160.775) – This act modifies the requirements for school anti-bullying policies. The definition of "bullying" is modified to include intimidation or harassment that is repetitive or is substantially likely to be repeated and substantially interferes with the educational performance, opportunities, or benefits of any student without exception, or that substantially disrupts the orderly operation of the school. Bullying by students is prohibited on school property, at school functions, or on school buses. Cyberbullying is defined in the act.

This act requires that anti-bullying policies treat all students equally. Each school district's anti-bullying policy must be included in the student handbook, as described in the act. School districts must instruct their school counselors and school psychologists to educate students who are victims of bullying on techniques to overcome the negative effects of bullying. School districts must also implement programs and other initiatives to address bullying, respond to such conduct so as to not stigmatize a victim, and to make resources or referrals available to victims of bullying. Any school district shall have jurisdiction to prohibit cyberbullying that originates on a school's campus or at a district activity, as described in the act, and a school district may discipline a student for such cyberbullying to the greatest extent allowed by law.

SUICIDE AWARENESS AND PREVENTION (170.047 and 170.048) – Beginning in the 2017-2018 school year, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for State Board of Education certification. Each district shall adopt a policy for youth suicide awareness and prevention by July 1, 2018. The Department develop a model policy by July 1, 2017, that districts may adopt.

SCS HCS HBs 1646, 2132 & 1621 – Relating to civics education. (Signed 6/22/16)

MISSOURI CIVICS INITIATIVE (170.011 and 170.345) (See Education and School Law, CCS SCS SB 638)

CONSTITUTION PROJECT (170.350) (See Education and School Law, CCS SCS SB 638)

HB 1681 – Relating to the regulation of proprietary schools. (Signed 6/13/16)

This act exempts yoga teacher training courses, programs, and schools from provisions regulating proprietary schools.

HB 2237 – Relating to University of Missouri extension councils. (See Local Government Law)

SS SCS HCS HB 2379 – Relating to student safety. (Signed 6/22/16)

DYSLEXIA SCREENING AND SUPPORT (167.950) (See Education and School Law, CCS SCS SB 638)

LEGISLATIVE TASK FORCE ON DYSLEXIA (633.420) (See Education and School Law, CCS SCS SB 638)

SUICIDE AWARENESS AND PREVENTION (170.047 and 170.048) (See Education and School Law, SCS HCS HB 1583)

HB 2428 – Relating to school counselors. (Signed 6/13/16)

This act changes the term "guidance counselor" to "school counselor" in laws relating to elementary and secondary education.

Environmental and Energy Law

SCS HCS HB 1713 – Relating to the regulation of water systems. (**Vetoed** 6/28/16)

DESIGN-BUILD CONTRACTS (67.5070) - This act authorizes any political subdivision to use a design-build contractor for wastewater and water treatment projects. The Department of Economic Development is required to consider design-build wastewater or water treatment projects when disbursing grants under the Community Development Block Grant program.

The Department of Natural Resources is prohibited from precluding design-build contracts from being considered for funding from the Water and Wastewater Loan Fund.

MULTIPURPOSE WATER RESOURCES (256.437-256.447) (See below, SS #2 HCS HB 1717)

WATER FLUORIDATION (640.136) (See below, SS #2 HCS HB 1717)

CLEAN WATER COMMISSION (644.021) - Currently, the Clean Water Commission is composed of 7 members, with 2 such members, but not more than 2, knowledgeable in agriculture, industry or mining, and no more than 4 members shall represent the public. Under this act, at least 2 members shall be knowledgeable in agriculture, industry or mining, and no more than 4 members shall represent the public.

WASTEWATER TREATMENT SYSTEMS (644.200) (See below, SS #2 HCS HB 1717) This provision contains an emergency clause.

SS #2 HCS HB 1717 – Relating to water systems. (Signed 6/28/16)

MULTIPURPOSE WATER RESOURCES (256.437-256.447) - This act adds several provisions relating to multipurpose water resources.

WATER FLUORIDATION (640.136) - This act requires any public water system or public water supply district to notify the Department of Natural Resources, the Department of Health and Senior Services, and their customers if they intend to modify fluoridation levels of its water supply.

WASTEWATER TREATMENT SYSTEMS (644.200) - This act requires the Department of Natural Resources to provide municipalities served by a wastewater treatment system with information regarding system upgrade options to meet any new or existing discharge requirements.

This provision contains an emergency clause.

Family and Juvenile Law

HCS SS #2 SCS SB 590 – Relating to crime. (See Criminal Law)

SCS SB 591 – Relating to expert witnesses. (See Judicial Administration)

SS SCS SB 838 – Relating to the transfer of wireless telephone numbers. (See Business Law)

SCS SBs 905 & 992 – Relating to the Uniform Interstate Family Support Act. (Signed 6/15/16)

EFFECTIVE DATE OF UIFSA (454.849, 454.1728) – This act changes the effective date of the repeal and enactment of certain provisions of the Uniform Interstate Family Support Act. This act contains an emergency clause.

SS #2 SCS HCS HB 1550 – Relating to child custody orders. (Signed 7/1/16)

In a judicial or administrative proceeding, written findings shall be entered if the Missouri Supreme Court's child support guidelines are found to be unjust or inappropriate in a particular case and a deviation is necessary. Additionally, if the parties in a child custody proceeding fail to reach an agreement on custody issues, the court shall enter written findings of fact and conclusions of law for specified factors. Every court order establishing or modifying custody or visitation shall include specified language notifying the parties that if any violation of the order occurs, the aggrieved person may file a family access motion with the court.

The State Courts Administrator shall develop parenting plan guidelines, which parties may use, that maximize the time a child may spend with both parents. The parenting plan guidelines shall be made readily available online and easily accessible to parties. The petitioner's counsel shall provide a copy of the handbook containing the guidelines to the petitioner filing a divorce or separation petition and have a copy provided to the respondent upon service of the petition. If a petitioner is unrepresented at the time of filing, the court shall provide a copy of the handbook to the petitioner and direct a copy to be served on the respondent.

No court shall adopt any local rules, forms, or practice requiring a standardized or default parenting plan for interim, temporary, or permanent orders or judgments. A court may enter an interim order in specified family law proceedings if the interim order does not contain any provisions about child custody or a parenting schedule or plan without first providing the parties with notice and a hearing, unless the parties otherwise agree.

The court shall be prohibited from presuming that a parent, solely because of his or her sex, is more qualified than the other parent to be a joint or sole legal or physical custodian of a child.

Finally, the court shall consider, in a proceeding to enforce or modify a permanent custody or visitation order or judgment, a party's violation, without good cause, of a provision of the parenting plan, for the purpose of determining that party's ability and willingness to allow the child frequent and meaningful contact with the other party.

Additionally, this act changes the effective date of the repeal and enactment of certain provisions of the Uniform Interstate Family Support Act.

HCS HB 1562 – Relating to victims of crime offenses. (See Criminal Law)

SCS HCS HB 1599 – Relating to birth certificates. (Signed 7/1/16)

This act adds a new method to obtain a copy of the original birth certificate by the adoptee or the adoptee's attorney. In order to receive a copy of the original birth certificate, the adoptee must be at least 18, have been born in Missouri, and file a written application with proof of identity with the state registrar. The state registrar may require a fee and a waiting period identical to non-adopted persons who seek a copy of an original birth certificate. When the state registrar issues an uncertified copy of a birth certificate, such certificate shall contain a statement indicating that it is to be used for genealogical purposes only and not to establish identity.

Before the completion of an adoption, a court shall make available to birth parents a contact preference form developed by the state registrar and provided by the Department of Health and Senior Services. If a birth parent chooses to fill out the form, the court clerk shall send the form with the certificate of decree of adoption to the state registrar to accompany the original birth certificate of the adoptee. Birth parents may update the form at any time upon request.

A birth parent may, at any time, indicate on the contact form filed with the state registrar as to whether they would prefer to be contacted by the adoptee or an intermediary. If both birth parents indicate that they would prefer not to be contacted, a copy of the original birth certificate shall not be released. If only one birth parent indicates a preference not to be contacted, his or her identifying information shall be redacted from the copy of the original birth certificate to be released.

A birth parent may indicate on a medical history form filed with the state registrar as to whether or not they have or prefer to provide any medical information. Contact preference forms and medical history forms shall be placed in a sealed envelope upon receipt and considered a confidential communication from the birth parent to the adoptee. If a birth parent indicates that he or she prefers not to be contacted, the adoptee may access a copy of the medical history form with identifying information redacted.

Original birth certificates issued under this act shall be issued beginning January 1, 2018. Adoptees born prior to 1941 shall have access to their original birth certificates beginning August 28, 2016.

SCS HCS HB 1649 – Relating to immunity from civil liability for removing a minor from a locked vehicle. (See Tort and Transportation Law)

SS HCS HB 1877 – Relating to the Children's Division. (Signed 6/15/16)

This act adds to the list of crimes that make an individual eligible for placement on the central registry for child abuse and neglect the following offenses: sexual exploitation of a minor, possession of child pornography, furnishing pornographic materials to minors, using a child in sexual performances, and promoting sexual performance by a child.

This act requires the clerk of a court, when the court finds by a preponderance of the evidence in certain actions that a party is responsible for child abuse or neglect, to send a certified copy of the judgment or order to the Children's Division (CD) and the appropriate prosecuting attorney. Upon receipt of the order, the CD shall list the individual as a perpetrator of child abuse or neglect in the central registry. The clerk and CD shall do the same in cases where an individual has pled to or been found guilty of certain specified crimes including murder, manslaughter, assault, child abandonment, or sexual offenses against children or an attempt to commit such crimes.

This act requires the juvenile court, and all parties in a case involving a foster child in the care of the state, to defer to the reasonable decisions of the child's designated caregiver involving the child's participation in extracurricular, enrichment, cultural, and social activities. Caregivers shall use the "reasonable and prudent parent standard," which is defined as the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child. A caregiver's decisions regarding the child may only be overturned by the court if, upon notice and a hearing, the court finds by clear and convincing evidence that the reasonable and prudent parent standard has been violated. Caregivers have the right to receive notice of the hearing, attend it, and present evidence.

Caregivers shall receive training regarding the reasonable and prudent parent standard. Caregivers shall not be liable for harm caused to a child participating in an activity chosen by the caregiver if the caregiver acted in accordance with the reasonable and prudent parent standard. No court shall order the CD or any contracted agency to fund activities chosen by the caregiver.

Under this act, children in foster care who are at least 14 years old shall be consulted in the development of, revision of, or addition to their case plan. The children may choose

individuals to participate as members of the family support team. The CD may reject those individuals if it has good cause to believe the individuals would not act in the best interests of the child. The child may also designate one member to be his or her advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child. The child shall receive a document which describes specific enumerated rights and a signed acknowledgment by the child indicating that he or she has been provided with a copy of the document and his or her rights have been explained in an appropriate manner. If a child is leaving foster care at age 18, the CD shall provide the child specified documents, unless the child is otherwise ineligible.

No child in foster care under the age of 16 shall have a permanency plan of another planned permanent living arrangement. For children with permanency plans of another planned permanent living arrangement, the court shall make specified findings of fact and conclusions of law at each permanency hearing emphasizing the CD's continuous and unsuccessful efforts to return the child home or to secure a placement with a fit and willing relative or adoptive parent, the child's desired permanency outcome, and a judicial determination that it continues not to be in the child's best interests to return home, to be placed with a legal guardian or relative, or to be adopted.

This act also grants the family court exclusive original jurisdiction in proceedings involving youth for whom a petition to return the youth to the CD's custody has been filed. Under current law, if a youth under 21 years of age has been released from the CD's custody and it appears to be in the youth's best interests to return to such custody, the juvenile officer, the CD, or the youth may petition the court to return the youth to the CD's custody. This act requires the petition to be filed in the court that had previously exercised jurisdiction over the youth, the court in the county where the youth resides, or the court of an adjacent county.

When determining if such a return to custody is in the youth's best interests, the court shall consider: (1) the circumstances of the youth; (2) whether the CD has services or programs that will benefit the youth; and (3) whether the youth will fully cooperate with the CD in designing and implementing a case plan. The court shall not return a youth to the CD's custody if that youth has been committed to the custody of another agency, is under a legal guardianship, or has pled to or been found guilty of a felony criminal offense. The court may, upon a motion by the CD or the youth, terminate care and supervision before the youth's 21st birthday if the court finds that CD does not have services available for the youth, the youth no longer needs services, or if the youth declines to cooperate with the case plan. At the youth's discretion, the youth may request to be appointed a guardian ad litem. Finally, the court shall hold review hearings as necessary, provided that at least one hearing is held every six months for as long as the youth is in the CD's custody.

Under this act, upon receipt of a report of child abuse or neglect concerning a child three years of age or younger and the Division's determination that such report merits an investigation, such investigation shall include an evaluation of the child by a SAFE CARE provider or a review of the child's case file and photographs of the injuries by a SAFE CARE provider. When a SAFE CARE provider makes a diagnosis that a child three years of age or younger has been subjected to physical abuse, including but not limited to, symptoms indicative of abusive bruising, fractures, burns, abdominal injuries, or head trauma, and the provider reports such diagnosis to the CD, the CD shall immediately submit a referral to the juvenile officer that shall include the CD's recommendations and reasoning regarding the care, safety, and placement of the child.

Additionally, certain CD employees shall attend at least 4 hours of training each year in medical forensics relating to child abuse and neglect as approved by the SAFE CARE network.

This act also creates the "Missouri Task Force on the Prevention of Infant Abuse and Neglect", which shall study and make recommendations to the Governor and General Assembly concerning the prevention of infant abuse and neglect in Missouri. The act specifies the task force membership and duties. The task force shall submit a report of its findings and recommendations to the Governor and General Assembly on or before December 31, 2016. The task force shall expire on January 1, 2017, or upon submission of the report.

SS HB 2355 – Relating to the Juvenile Justice Advisory Board. (Signed 6/15/16)

This act creates within the Office of State Courts Administrator the "Missouri State Juvenile Justice Advisory Board". The 15 members of the board are specified by the act. The board must provide consultation and recommendations regarding ongoing best practices within the juvenile court system and juvenile officer standards.

The board must meet at least four times per year and must submit an annual report to the Office of State Courts Administrator, the Office of Child Advocate, and the Joint Committee on Child Abuse and Neglect.

Health and Hospital Law

SB 579 – Relating to health care. (Signed 6/8/16)

Among other provisions, this act requires the Department of Health and Senior Services to include carbapenem-resistant enterobacteriaceae (CRE) in its list of communicable or infectious diseases which must be reported to the Department. This act adds certain infections to be reported by the Department, including: hospital and ambulatory surgical center procedure infections that meet certain requirements, central line-related bloodstream infections, health care-associated infections specified by the Centers for Medicare and Medicaid Services (CMS), and other categories of infections established by the Department through rule. The Department shall make such reports available to the public for at least 2 years.

This act requires the Infection Control Advisory Panel to make recommendations to the Department regarding CMS' reporting requirements by January 1, 2017. The panel recommendations shall address which hospitals shall be required, as a condition of licensure, to use specified national networks for data collection, risk analysis and adjustment, or public reporting of infection data. After considering the panel's recommendations, the Department shall implement guidelines from the Centers for Disease Control and Prevention's National Healthcare Safety Network, or its successor.

This act also provides that no later than August 28, 2017, each hospital and ambulatory surgical center, excluding mental health facilities, shall establish an antibiotic stewardship program for evaluating the judicious use of antibiotics, especially antibiotics that are the last line of defense against resistant infections.

This act also defines "telehealth" or "telemedicine" as the delivery of health care services by means of information and communication technologies which facilitate the assessment, diagnosis, consultation, treatment, education, care management, and self-management of a patient's health care while such patient is at the originating site and the health care provider is at the distant site. Telehealth shall also include the use of asynchronous store-and-forward technology. Any licensed health care provider shall be authorized to provide telehealth services if such services are within the scope of practice for which the health care provider is licensed and if such services are provided under the same standard of care as services provided in person.

Additionally, physicians practicing telemedicine shall ensure that a properly established physician-patient relationship, as described in this act, exists with the person receiving telemedicine services. No health care provider shall prescribe any drug, controlled substance, or other treatment to a patient based solely on a telephone evaluation. However, physicians, or their delegates, on-call physicians, advanced practice registered nurses, physician assistants, or assistant physicians in a supervision agreement may prescribe any drug, controlled substance, or other treatment, within his or her scope of practice, to a patient based solely on an evaluation over the telephone if a previously-established and ongoing valid physician-patient relationship exists. No health care provider shall prescribe any drug, controlled substance, or other treatment based solely on an Internet request or an Internet questionnaire.

This act specifies the licensed individuals who shall be considered eligible health care providers for the provision of telehealth services for MO HealthNet participants. Additionally, this act specifies the originating sites where a MO HealthNet participant may receive telehealth services.

This act establishes a statewide home telemonitoring program for the MO HealthNet program.

CCS HCS SB 607 – Relating to public assistance program. (Effective pursuant to Article 3, Section 31 of the Missouri Constitution 7/14/16)

Among other provisions, this legislation enacts the following provisions relating to public assistance:

DATA VERIFICATION FOR PUBLIC ASSISTANCE ELIGIBILITY (208.065) – This act requires the Department of Social Services, by January 1, 2017, to contract with a private vendor to verify that eligibility requirements are being met by recipients of public assistance, including the supplemental nutrition assistance program, temporary assistance for needy families, child care assistance, and MO HealthNet. The Department will retain final determination of eligibility. The Department and the contractor are required to file an annual report with the Governor and the General Assembly regarding the eligibility data.

MO HEALTHNET REIMBURSEMENT (208.152) – This act provides that, subject to appropriations, MO HealthNet providers of behavioral, social, and psychophysiological services, including psychologists, shall be reimbursed for the prevention, treatment, or management of physical health problems.

JOINT COMMITTEE ON PUBLIC ASSISTANCE (208.952) – This act modifies the Joint Committee on MO HealthNet to create a permanent Joint Committee on Public Assistance. The committee shall have the following purposes: (1) studying, monitoring, and reviewing the efficacy of public assistance programs within the state; (2)

determining the level and adequacy of resources needed for the programs; and (3) developing recommendations on the public assistance programs and on promoting independence from safety-net programs among participants as may be appropriate.

MO HEALTHNET REIMBURSEMENT FOR GROUND EMERGENCY MEDICAL TRANSPORTATION SERVICES (208.1030 and 208.1032) – Under this act, an eligible MO HealthNet provider may receive a supplemental reimbursement, in addition to the MO HealthNet reimbursement such provider would otherwise receive, for ground emergency medical transportation services, provided that such reimbursement shall not exceed 100% of actual costs.

CCS #2 HCS SS SB 608 – Relating to health care. (**Vetoed** 7/5/16)

Among other provisions, this legislation enacts provisions relating to health care as follows:

VACCINATIONS (167.638, 174.335, and 198.054) – Under this act, each year between October 1 and March 1, all licensed long-term care facilities shall assist their health care workers, volunteers, and other employees who have direct contact with residents in obtaining a vaccination for the influenza virus by either offering a vaccination in the facility or providing information as to how they may independently obtain a vaccination. Facilities are encouraged to document that each health care worker, volunteer, and employee has been offered assistance in obtaining a vaccination against the influenza virus and has either accepted or declined.

VACCINATIONS (167.638 and 174.335) (See Health and Hospital Law, CCS HCS SB 635)

HEALTH CARE COST AND TRANSPARENCY ACT (191.875) – This provision, known as the "Health Care Cost Reduction and Transparency Act," requires health care providers to provide, upon a patient's written request, including a medical treatment plan from the patient's health care provider, an estimate of cost of a particular health care service within 3 business days. This estimate shall be accompanied by specified language.

PALLIATIVE CARE (191.1075, 191.1080, and 191.1085) (See Health and Hospital Law, CCS HCS SB 635)

CONSTRUCTION OF HOSPITALS AND CERTIFICATE OF NEED (197.065, 197.31, and 536.031) (See Health and Hospital Law, CCS HCS SB 635)

MO HEALTHNET CO-PAYMENTS (208.142) – Beginning October 1, 2016, the Department of Social Services shall require MO HealthNet participants to pay an eight dollar co-payment fee for use of a hospital emergency department for the treatment of a condition that is not an emergency medical condition. The Department shall promulgate rules for the implementation of this provision.

MO HEALTHNET MISSED APPOINTMENT FEES (208.148) – This provision permits fee-for-service MO HealthNet health care providers, to the extent permitted by laws pertaining to the termination of patient care, to charge a missed appointment fee to MO HealthNet participants that such participants must pay before scheduling another appointment with that provider.

MO HEALTHNET REIMBURSEMENT (208.152) (See Health and Hospital Law, CCS HCS SB 607)

JOINT COMMITTEE ON PUBLIC ASSISTANCE (208.952) (See Health and Hospital Law, CCS HCS SB 607)

PHYSICAL THERAPY COMPACT (334.1200-334.1233) (See Health and Hospital Law, CCS HCS SCS SB 973)

NURSE LICENSURE COMPACT (335.360-335.415) (See Health and Hospital Law, CCS HCS SB 635)

EMERGENCY SUPPLIES OF MEDICATION (338.200) (See Health and Hospital Law, CCS HCS SB 635)

MAINTENANCE MEDICATION (338.202) (See Health and Hospital Law, CCS HCS SS SCS SBs 865 & 866)

MEDICATION SYNCHRONIZATION SERVICES (376.379) (See Health and Hospital Law, CCS HCS SS SCS SBs 856 & 866)

PHARMACY BENEFIT MANAGERS (376.388) (See Health and Hospital Law, CCS HCS SB 635)

INSURANCE COVERAGE FOR OCCUPATIONAL THERAPY SERVICES (376.1235) (See Health and Hospital Law, CCS HCS SB 635)

PRESCRIPTION EYE DROPS (376.1237) (See Health and Hospital Law, CCS HCS SB 635)

HEALTH CARE PRICE TRANSPARENCY (376.2020) – Under this provision, no contract provision between a health carrier and a health care provider shall be enforceable if such provision prohibits, conditions, or in any way restricts any party to such contract from disclosing to an enrollee the contractual payment amount for a health care service if such payment amount is less than the health care

provider's usual charge for the health care service, and if such contractual provision prevents the determination of the potential out-of-pocket cost for the health care service by the enrollee.

Provisions of this act have a contingent effective date.

CCS HCS SB 635 – Relating to health care. (Signed 7/5/16)

INVESTMENT OF FUNDS BY MUNICIPAL HOSPITALS (96.192) – This act allows the board of trustees of any authorized municipal hospital to invest up to 25% of the hospital's funds not required for immediate disbursement in any U.S. investment grade fixed income funds or diversified stock funds, or both. The provisions of this act shall only apply if the hospital: (1) receives less than 1% of its annual revenue from municipal, county, or state taxes and (2) receives less than 1% of its annual revenue from appropriated funds from the municipality in which such hospital is located.

VACCINATIONS (167.638 and 174.335) – This act requires the higher education brochure published by the Department of Health and Senior Services relating to meningococcal disease to state that immunizations against the disease are available and to include information on all vaccines receiving Category A or B recommendations from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

This act would require all students residing in on-campus housing to have received the meningococcal vaccine not more than 5 years prior to enrollment and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

DYSLEXIA SCREENING AND SUPPORT (167.950) (See Education and School Law, CCS SCS SB 638)

CPR CURRICULUM (170.310) – Beginning with the 2017-18 school year, this act requires high school pupils in public schools and charter schools to have received thirty minutes of CPR instruction and training in the proper performance of the Heimlich maneuver or other first aid for choking prior to graduation. The act also requires the training to be included in the district's existing health or physical education curriculum.

EMT-P LICENSURE TESTING (190.142) – This act requires any rules or regulations promulgated by the Department of Health and Senior Services relating to initial EMT-P licensure testing to be through the national registry of EMTs or to be examinations developed and administered by the Department.

ALTERNATIVE STROKE CENTER DESIGNATIONS AND COLLECTION OF EMERGENCY CARE DATA (190.241 and 192.737) – This act provides for an alternative stroke center designation for a hospital. The Department of Health and Senior Services shall designate a hospital, upon receipt of an application, as follows: (1) a level I stroke center if the hospital has been certified as a comprehensive stroke center by the Joint Commission or another certifying organization; (2) a level II stroke center if the hospital has been certified as primary stroke center by the Joint Commission or other certifying organization; or (3) a level III stroke center if the hospital has been certified as a acute stroke-ready hospital by the Joint Commission or other certifying organization. The Department shall not require compliance with any additional standards for establishing or renewing stroke designations and the designation shall continue as long as the hospital remains certified. The Department may remove a hospital's designation if the hospital so requests or if the Department determines the certification has been suspended or revoked.

MEDICAL HELIPAD FENCES (190.265) – Under this act, any rules and regulations promulgated by the Department of Health and Senior Services, or any interpretation of such rules, shall not require hospitals to have a fence or other barriers around a hospital helipad. Additionally, the Department shall not promulgate any rules and regulations with respect to the operation or construction of a helipad located at a hospital. Finally, hospitals shall ensure that helipads are free of obstruction and safe for use by a helicopter while on the ground, during approach, and takeoff.

PALLIATIVE CARE (191.1075, 191.1080, and 191.1085) – This act creates the "Missouri Palliative Care and Quality of Life Interdisciplinary Council," which shall consult with and advise the Department of Health and Senior Services on matters related to the establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in the state, as well as submit an annual report to the General Assembly assessing the availability of palliative care in the state for patients at early stages of serious disease and analyzing barriers to greater access to palliative care.

This act also creates the "Palliative Care Consumer and Professional Information and Education Program," which shall be designed to maximize the effectiveness of palliative care in the state by ensuring the public availability of comprehensive and accurate information about palliative care. These provisions expire on August 28, 2022.

BACKGROUND CHECKS FOR CERTAIN HEALTH CARE PROVIDERS (192.2490 and 192.2495) – Cur-

rently, the Department of Health and Senior Services must provide the employee disqualification list upon request to any person, corporation, organization, or association who employs "nurses and nursing assistants" for temporary employment. This act changes this provision to "health care providers" for temporary employment. This act also requires an applicant for employment in certain positions to disclose if the applicant is listed on any of the background checks in the Family Care Safety Registry. A provider who is not otherwise prohibited from employing an individual listed on such background checks may deny employment to an individual listed on any of the background checks in the registry.

CONSTRUCTION OF HOSPITALS AND CERTIFICATE OF NEED (197.065, 197.315, and 536.031) – This act requires the Department of Health and Senior Services to promulgate regulations for the construction and renovation of hospitals that will include standards that reflect the Life Safety Code standards imposed under Medicare. Hospitals shall not be required to meet the standards contained in the Facility Guidelines Institute for the Design and Construction of Health Care Facilities, but any hospital that complies with the 2010 or later version of such guidelines shall not be required to comply with any inconsistent or conflicting regulations.

The Department may waive enforcement of these standards for licensed hospitals if the department determines that: (1) compliance with them would result in unreasonable hardship for the facility and the health and safety of hospital patients would not be compromised by such a waiver; or (2) the hospital used other equivalent standards. Any conflicting regulations promulgated by the Department that are currently in existence and that conflict with the standards promulgated pursuant to this act shall lapse on and after January 1, 2018. Regulations developed pursuant to this act may incorporate by reference later additions or amendments to such rules, regulations, standards, or guidelines as needed to consistently apply current standards of safety and practice.

This act requires hospitals operated and licensed by the state, with the exception of Department of Mental Health-operated psychiatric hospitals, to obtain a certificate of need and to comply with statutes relating to certificates of need. However, no certificate of need shall be required for the purchase and operation of medical equipment used by an academic health center operated by the state in furtherance of research or instruction.

HEALTH CARE WORKFORCE DATA ANALYSIS (324.001) – This act provides that the State Board of Nursing, Board of Pharmacy, Missouri Dental Board, State Committee of Psychologists, State Board of Chiropractic Examiners, State Board of Optometry, State Board of Occupational Therapy, and State Board of Registration for the Healing Arts may enter into contractual agreements with the Department of Health and Senior Services, public institutions of higher education, and nonprofit entities in order to collect and analyze workforce data from its licensees for the purpose of future workforce planning and to assess the accessibility and availability of qualified health care services and practitioners in Missouri.

PHYSICAL THERAPIST COMPACT (334.1200-334.1233) – The act creates a physical therapist compact. To participate in the compact a state must 1) participate in the Physical Therapy Compact Commission's data system; 2) have a mechanism in place for receiving and investigating complaints; 3) notify the Commission of any adverse action regarding a licensee; 4) implement a criminal background check; 5) comply with the rules of the Commission; 6) use a recognized national examination as a requirement for licensure; and 7) have continuing education as a requirement for license renewal.

A member state shall grant the compact privilege to a licensee holding a valid license in another member state. In order to have a compact privilege a licencee must 1) have an unencumbered license in his or her home state; 2) have not had any adverse action against the license in the previous 2 years; 3) notify the Commission that he or she is seeking compact privilege within a remote state; 4) pay a fee; 5) meet any jurisprudence requirements established by the remote state; and 6) report to the Commission adverse action taken by a nonmember state within 30 days from the date the adverse action is taken. The compact privilege is valid until the expiration date of the home license. The licensee providing physical therapy in a remote state is subject to the laws and regulations of the remote state. If a home state license is encumbered then the licensee shall lose the compact privilege until certain conditions are met as established in the act.

The act creates the Physical Therapy Compact Commission, which shall develop, maintain, and use a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

The compact shall not become effective until ten states enact the compact into law.

NURSE LICENSURE COMPACT (335.360-335.415) – This act establishes a new nursing licensure compact in which states who are members of the compact, known as party states, may issue multistate nursing licenses for the

practice of registered and licensed practical or vocational nursing. A multistate nursing license shall authorize a nurse to practice under a multistate licensure privilege in each party state. The act does not affect the requirements established by a party state for the issuance of a single-state license.

This compact shall become effective and binding on the earlier of the date of legislative enactment of this compact by no less than twenty-six states or December 31, 2018. All party states to this compact that were also parties to the prior nurse licensure compact shall be deemed to have withdrawn from the prior compact within six months after the effective date of this compact.

Under the act, a party state must adopt certain procedures for considering the criminal history of applicants for an initial multistate license, and require an applicant for multistate licensure meet certain requirements.

This act shall become effective upon notification to the Revisor of Statutes by the Commission that no less than twenty-six states have enacted the Compact, or December 31, 2018, whichever occurs earlier.

EMERGENCY SUPPLIES OF MEDICATION (338.200) – This act provides that only a licensed pharmacist can make the determination to dispense an emergency supply of medication without the authorization from the prescriber.

PHARMACY BENEFIT MANAGERS (376.388) – This act also requires each contract between a pharmacy benefit manager (PBM) and a pharmacy or pharmacy's contracting representative to include sources utilized to determine maximum allowable cost and update such pricing information at least every seven days. A PBM shall maintain a procedure to eliminate products from the maximum allowable cost (MAC) list of drugs or modify MAC pricing within seven days if the drugs do not meet the standards as provided in the act.

A PBM shall reimburse pharmacies for drugs subject to MAC pricing based upon pricing information which has been updated within seven days. A drug shall not be placed on a MAC list unless there are at least two therapeutically equivalent multi-source generic drugs, or at least one generic drug available from at least one manufacturer and is generally available for purchase from national or regional wholesalers.

All contracts shall include a process to internally appeal, investigate, and resolve disputes regarding MAC pricing as provided in the act. Appeals shall be upheld if the pharmacy being reimbursed for the drug on the MAC list was not reimbursed according to the act or the drug does not meet the requirements for being placed on the MAC list.

INSURANCE COVERAGE FOR OCCUPATIONAL THERAPY SERVICES (376.1235) – This act adds services rendered by licensed occupational therapists to services that cannot require a higher co-payment or coinsurance than is required for the services of a primary care physician office visit. This act also requires health carriers to clearly state the availability of occupational therapy services. This act requires the Oversight Division of the Joint Committee on Legislative Research to perform an actuarial analysis of the cost impact to health carriers, insureds with a health benefit plan, and other payers for occupational therapy coverage beginning September 1, 2016, and submit a report by December 31, 2016.

PRESCRIPTION EYE DROPS (376.1237) – This act extends the sunset provision for coverage of early refills of prescription eye drops from January 1, 2017, to January 1, 2020.

LEGISLATIVE TASK FORCE ON DYSLEXIA (633.420) (See Education and School Law, CCS SCS SB 638)

This act has an emergency clause for certain provisions and a contingent effective date for other provisions.

SCS SB 794 – Relating to a sales tax exemption on parts and accessories for medical equipment. (Signed 6/28/16)

This act creates a sales tax exemption for all sales, rentals, parts, and repairs of durable medical equipment as well as for parts for certain types of health care related equipment.

SS #2 SB 847 – Relating to evidence for the cost of medical care and treatment. (See Civil Procedure)

CCS HCS SS SCS SBs 865 & 866 – Relating to health care. (Signed 7/5/16)

PALLIATIVE CARE (191.1075, 191.1080, 191.1085) (See Health and Hospital Law, CCS HCS SB 635)

REPORTING OF ADVERSE ACTION TO THE BOARD OF PHARMACY (338.075) – This act provides that all licensees, registrants, and permit holders regulated by the Board of Pharmacy shall report to the Board any final adverse action taken by another licensing jurisdiction against such person or entity's license, permit, or authorization to practice or operate as a pharmacist, intern pharmacist, pharmacy technician, pharmacy, drug distributor, drug manufacturer, or drug outsourcing facility.

Additionally, all licensees, registrants, and permit holders shall report any surrender of a license or authorization to

practice while under disciplinary investigation by another jurisdiction, and any exclusion to participate in any government funded health care program for fraud, abuse, or submission of any false claim, payment, or reimbursement request.

MAINTENANCE MEDICATION (338.202) – This act provides that a pharmacist may dispense varying quantities of maintenance medication per fill up to the total number of dosage units as authorized by the prescriber, unless the prescriber has specified that dispensing a prescription for maintenance medication in an initial amount is medically necessary. When the dispensing of the maintenance medication is based on refills then the pharmacist shall dispense no more than a 90 day supply and the patient must have already been prescribed the medication for 3 months.

NONRESIDENT PHARMACY LICENSE RENEWAL (338.270, 338.347) – This act provides that the Board of Pharmacy shall not renew a nonresident pharmacy license if the applicant does not hold a current pharmacy license in the state in which the nonresident pharmacy is located. Additionally, the Board shall not renew an out-of-state wholesale drug distributor, out-of-state pharmacy distributor, or drug distributor license if the applicant does not hold a current license in the state in which the distribution facility is located. If the applicant is a drug distributor registrant then the entity must be authorized and in good standing with the Food and Drug Administration or within the state where the facility is located in order for the Board to renew the registration.

UNIFORMITY IN INSURANCE AND FINANCIAL SERVICES REGULATION (374.185) – This act adds the U.S. Department of Health and Human Services to the list of entities with which the Director of the Department of Insurance, Financial Institutions, and Professional Registration may cooperate to regulate insurance and financial services.

MEDICATION SYNCHRONIZATION SERVICES (376.379) – This act requires a health carrier or managed care plan that provides prescription drug coverage in the state to offer medication synchronization services. A health carrier or managed care plan that provides prescription drug coverage shall not charge any amount in excess of the otherwise applicable co-payment for dispensing a prescription drug in a quantity that is less than the prescribed amount and shall provide a full dispensing fee to the pharmacy that dispenses the prescription drug so long as the terms of the medication synchronization services are met.

PHARMACY BENEFIT MANAGERS (376.388) (See Health and Hospital Law, CCS HCS SB 635)

MISSOURI HEALTH INSURANCE RATE TRANSPARENCY ACT (376.465) – The act creates the "Missouri Health Insurance Rate Transparency Act" to apply to health benefit plans, excluding large group market, long-term care, and Medicare supplemental plans, delivered, issued for delivery, continued, or renewed on or after January 1, 2018.

PRESCRIPTION EYE DROPS (376.1237) (See Health and Hospital Law, CCS HCS SB 635)

SMALL EMPLOYER HEALTH BENEFIT PLANS (379.934, 379.936, 379.938, 379.940) – Finally, the act limits current law relating to small employer health benefit plans to only plans purchased on or before March 23, 2010.

SB 875 – Relating to interchangeable biological products. (Signed 6/8/16)

This act allows a pharmacist filling a prescription order for a brand name biological product to select a less expensive interchangeable biological product if the substitute has been approved by the FDA to be an interchangeable biological product, the prescriber has communicated that a interchangeable biological product may be substituted, and the pharmacist informs the patient. Within five days of dispensing a biological product, the pharmacist shall communicate the name and manufacturer of the product to the prescriber, unless there is no FDA approved interchangeable biological product or a refill prescription is not changed from the product dispensed on the prior filling.

The Board of Pharmacy shall maintain a link on its website to a current list of all biological products determined by the FDA to be interchangeable with a specific biological product.

CCS HCS SCS SB 973 – Relating to health care. (Signed 7/5/16)

CONSTRUCTION OF HOSPITALS AND CERTIFICATE OF NEED (197.065, 197.31, and 536.031) (See Health and Hospital Law, CCS HCS SB 635)

PHYSICAL THERAPIST COMPACT (334.1200 - 334.1233) (See Health and Hospital Law, CCS HCS SB 635)

MAINTENANCE MEDICATION (338.202) (See Health and Hospital Law, CCS HCS SS SCS SBs 865 & 866)

PRESCRIPTION EYE DROPS (376.1237) (See Health and Hospital Law, CCS HCS SB 635)

CCS SB 988 – Relating to health care providers. (Signed 7/5/16)

INVESTMENT OF FUNDS BY MUNICIPAL HOSPITALS (96.192) (See Health and Hospital Law, CCS HCS SB 635)

BACKGROUND CHECKS FOR AMBULANCE DISTRICT EMPLOYEES, CONTRACTORS, AND VOLUNTEERS (190.060) – This act also allows an ambulance district to conduct fingerprint background checks on current and prospective employees, contractors, and volunteers.

ALTERNATIVE STROKE CENTER DESIGNATIONS (190.241) (See Health and Hospital Law, CCS HCS SB 635)

MEDICAL HELIPAD FENCES (190.265) (See Health and Hospital Law, CCS HCS SB 635)

CERTIFICATES OF NEED (197.315) (See Health and Hospital Law, CCS HCS SB 635)

INVESTMENT OF FUNDS BY COUNTY HOSPITALS (205.165) – This act allows the board of trustees of any authorized county hospital to invest up to 15% of the hospital's funds not required for immediate disbursement in certain mutual funds. The provisions of this act shall only apply if the hospital: (1) located within a county of the first classification with more than 150,000 but fewer than 200,000 inhabitants, and (2) receives less than 1% of its annual revenues from county or state taxes.

This act contains an emergency clause for certain provisions.

HB 1534 – Relating to reimbursement allowance taxes. (Signed 6/8/16)

This act extends the sunsets from September 30, 2016 to September 30, 2018, for the Ground Ambulance, Nursing Facility, Medicaid Managed Care Organization, Hospital, Pharmacy, and Intermediate Care Facility for the Mentally Retarded Reimbursement Allowance Taxes.

HB 1565 – Relating to public assistance. *(Signed 6/9/16)*

This act raises the asset limits for MO HealthNet permanent and totally disabled, blind, and aged claimants, starting in fiscal year 2018, from no greater than $1,000 for individuals to $2,000 and from under $2,000 for married couples to $4,000. For each fiscal year after 2018 until 2021, those asset limits shall be increased $1,000 and $2,000 respectively so that by fiscal year 2021 the limit for individuals shall be $5,000 and for married couples $10,000. Beginning in fiscal year 2022, these limits shall be modified to reflect any cost-of-living adjustments. Additionally, this act excludes from asset limit calculations medical savings accounts and independent living accounts as defined in the Ticket to Work Health Assurance Program.

HB 1568 – Relating to dispensing opioid antagonist drugs. (Signed 6/21/16)

This act allows a pharmacist to dispense an opioid antagonist pursuant to a physician protocol. A pharmacist who when acting in good faith and with reasonable care sells or dispenses an opioid antagonist, the protocol physician, or a person who administers in good faith an opioid antagonist to another shall not be subject to criminal or civil liability or professional discipline for dispensing or administering the drug. The act states that it is permissible for a person to possess an opioid antagonist and any person who administers an opioid antagonist to another shall contact emergency personnel immediately after administration. A person acting under a standing order issued by a health care professional who is authorized to prescribe an opioid antagonist may store an opioid antagonist without being subject to pharmacy licensing and permitting requirements and may dispense an opioid antagonist if the person does not collect a fee or compensation.

SCS HB 1682 – Relating to health care providers. (Signed 7/5/16)

SEVERE COMBINED IMMUNODEFICIENCY (191.332) – The act requires the Department of Health and Senior Services, beginning January 1, 2017, and subject to appropriations, to expand current newborn screening requirements to include severe combined immunodeficiency (SCID), also known as bubble boy disease.

PALLIATIVE CARE (191.1075, 191.1080, 191.1085) (See Health and Hospital Law, CCS HCS SB 635)

HEMP EXTRACT RECOMMENDATION (192.947) – Under the act, no individual or health care entity organized under the laws of the state shall be subject to any adverse action by the state, including civil or criminal prosecution, denial of any right or privilege, the imposition of a civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission if such individual or health care entity, in its normal course of business and within its applicable licenses and regulations, acts in good faith on any order, recommendation, or statement by a neurologist relating to the medical use and administration of hemp extract.

MEDICAL PRACTICE FREEDOM ACT (324.048) – The act provides that licensure requirements for physicians, chiropractors, optometrists, and dentists shall be based on skill and academic competence, and licensure shall not be conditioned on participation in a health insurance plan, or a public health care system or service initiative.

LICENSURE REQUIREMENTS FOR PHYSICIANS (334.040, 334.280/334.285) – Applicants for licensure as a physician or surgeon must provide proof of successful completion of the USMLE or the COMLEX, rather than just proof of completion. The act repeals the provision authorizing the State Board of Registration for the Healing Arts to determine the passing score of the USMLE.

The act removes the provision that states that in order for the Board to waive licensure requirements for an applicant who is licensed in another state the applicant must be certified by a certifying agency in the applicant's area of specialty.

The state shall not require adherence to the Federation of State Medical Boards' framework as a condition for physician license renewal or any form of specialty medical board certification to practice medicine within the state. The State Board of Registration for the Healing Arts or any other state agency shall not discriminate against physicians who do not maintain specialty medical board certification.

MAINTENANCE MEDICATION (338.202) (See Health and Hospital Law, CCS HCS SS SCS SBs 865 & 866)

VISION INSURANCE (376.685) – This act prohibits an agreement, for the provision of services, between a health carrier or other insurer that writes vision insurance and an optometrist from requiring an optometrist to provide additional services or materials at a fee limited or set by the plan or carrier unless the services or materials are reimbursed as covered services under the contract. A provider is prohibited from charging more for services or materials that are not covered under a health benefit or vision plan than the usual and customary rate charged for those services or materials. The reimbursement paid by the health benefit or vision plan for covered services or materials must be reasonable and cannot provide nominal reimbursement in order to claim a service or material is a covered service. This act prohibits a vision care insurance policy or vision care discount plan that provides covered services for materials from having the effect, directly or indirectly, of limiting the choice of sources and suppliers of materials by a patient of a vision care provider. Nothing in this act shall prohibit an optometrist from contractually opting in to an optometric services discount plan sponsored by a stand-alone vision plan, medical plan, health benefit plan, or health insurance policy, notwithstanding any other provisions in the act.

PRESCRIPTION EYE DROPS (376.1237) (See Health and Hospital Law, CCS HCS SB 635)

USE OF RESTRAINT BY A PHYSICIAN ASSISTANT OR ASSISTANT PHYSICIAN (630.175) – Under the act, physician assistants and assistant physicians with a supervision agreement with the attending physician are allowed to determine that the physical or chemical restraint, isolation, or seclusion of a patient in mental health facility or program is or is not necessary.

***SS HCS HB 1765 – Relating to civil proceedings.** (See Civil Procedure)

SS SCS HB 1816 – Relating to health care providers. (Signed 7/5/16)

HEALTHCARE PROFESSIONALS WORKFORCE DATA COLLECTION (324.001) – This act provides that the State Board of Nursing, Board of Pharmacy, Missouri Dental Board, State Committee of Psychologists, State Board of Chiropractic Examiners, State Board of Optometry, State Board of Occupational Therapy, and State Board of Registration for the Healing Arts may enter into contractual agreements with the Department of Health and Senior Services, public institutions of higher education, and nonprofit entities in order to collect and analyze workforce data from its licensees for the purpose of future workforce planning and to assess the accessibility and availability of qualified health care services and practitioners in Missouri.

Data collection is controlled by the applicable state board requesting the collection, and the boards may release identifying data to the contractor to facilitate data analysis of the health care workforce. The data collected is the property of the board requesting the data, and shall be maintained as provided in existing law. Data shall only be released in the aggregate form in a manner that cannot be used to identify a specific individual. A board cannot request or collect income or other financial earnings information. Contractors shall maintain the confidentiality of data received and shall not release any data without approval from the applicable board.

LICENSURE REQUIREMENTS FOR PHYSICIANS (334.040, 334.280/334.285) (See Health and Hospital Law, SCS HB 1682)

PHYSICAL THERAPIST COMPACT (334.1200 - 334.1233) (See Health and Hospital Law, CCS HCS SB 635)

NURSING EDUCATION INCENTIVE PROGRAM (335.203) – Currently, the Nursing Education Incentive Program is administered by the Department of Higher Education. This act makes the State Board of Nursing the administrative agency responsible for implementing the program.

NURSE LICENSURE COMPACT (335.360 - 335.415) (See Health and Hospital Law, CCS HCS SB 635)

OPTOMETRY STUDENTS (336.020) – The act provides that the statutory prohibition of the unlawful practice of optometry shall not apply to students enrolled in an accredited school of optometry training under the direct supervision of a licensed physician or optometrist.

MAINTENANCE MEDICATION (338.202) (See Health and Hospital Law, CCS HCS SS SCS SBs 865 & 866)

PRESCRIPTION EYE DROPS (376.1237) (See Health and Hospital Law, CCS HCS SB 635)

USE OF RESTRAINT BY A PHYSICIAN ASSISTANT OR ASSISTANT PHYSICIAN (630.175) (See Health and Hospital Law, SCS HB 1682)

SS HCS HB 2029 – Relating to step therapy for prescription drugs. (Signed 6/8/16)

Under this act, patients and their health care providers shall have access to a clear, convenient, and readily accessible process to request a step therapy override exception determination if coverage of a prescription drug for the treatment of a medical condition is restricted for use via a step therapy protocol by a health carrier, health benefit plan, or utilization review organization. A "step therapy protocol" is a protocol or program that establishes the specific sequence in which prescription drugs for a specified medical condition and medically appropriate for a particular patient are to be prescribed and covered by a health carrier or health benefit plan. A "step therapy override exception determination" is a determination as to whether a step therapy protocol should apply in a particular situation or whether such protocol should be overridden in favor of immediate coverage of the health care provider's preferred prescription drug.

Under this act, a step therapy override exception shall be granted if the patient has tried the step therapy-required prescription drugs while under their current or previous health insurance or health benefit plan and such prescription drugs were discontinued due to lack of efficacy or effectiveness, diminished effect, or an adverse event. The provisions of this act shall not be construed to prevent a health carrier, health benefit plan, or utilization review organization from requiring a patient to try a generic equivalent or other brand name drug prior to providing coverage for the requested prescription drug or to prevent a health care provider from prescribing a prescription drug he or she determines is medically appropriate.

The Department of Insurance, Financial Institutions and Professional Registration shall enforce the provisions of this act. This act shall apply to health insurance and health benefit plans delivered, issued for delivery, or renewed on or after January 1, 2018.

Insurance Law

***CCS HCS SB 833 – Relating to financial transactions.** (See Property Law)

SS #2 SB 847 – Relating to evidence for the cost of medical care and treatment. (See Civil Procedure)

CCS HCS SS SCS SBs 865 & 866 – Relating to health care. (See Health and Hospital Law)

SB 947 – Relating to transportation network company insurance. (Signed 6/23/16)

This act creates the insurance coverage requirements between a transportation network company (TNC) and a TNC driver who uses a personal vehicle to transport passengers for the TNC beginning April 1, 2017. A TNC driver or the TNC company, on the driver's behalf, is required to maintain primary automobile insurance coverage as specified in the act. The policy of insurance must recognize that the driver uses the vehicle to transport riders for compensation while logged onto the TNC's digital network. The TNC is required to notify a TNC driver of the insurance coverage provided by the TNC and to also notify a driver that his or her own personal automobile insurance policy may not provide coverage while the driver uses a vehicle in connection with the service and that it may also violate the terms of his or her contract with a lienholder. Automobile insurers in Missouri may exclude or limit any and all insurance coverage provided to owner's or operator's of personal vehicles while logged into a TNC's digital network for the purpose of transporting persons or property for compensation. In a claims coverage investigation, TNCs and any insurer potentially providing coverage under the act shall cooperate to facilitate the exchange of relevant information with each other and any insurer of the TNC driver, if applicable.

SCS HB 1682 – Relating to health care providers. (See Health and Hospital Law)

HB 1763 – Relating to workers' compensation large deductible policies. (See Labor and Employment Law)

SS SCS HB 1816 – Relating to health care providers. (See Health and Hospital Law)

SCS HCS HB 1976 – Relating to motor vehicle services. (See Tort and Transportation Law)

SS HCS HB 2029 – Relating to step therapy for prescription drugs. (See Health and Hospital Law)

HCS HB 2150 – Relating to unclaimed life insurance benefits. (Signed 6/14/16)

This act creates the Unclaimed Life Insurance Benefits Act which provides the process of identifying deceased insureds and payments of life insurance death benefits for policies. This act requires insurers to compare their insureds in-force life insurance policies, contracts, and retained asset accounts against the United States Social Security Administration's Death Master File on at least a semiannual basis to identify potential matches of policies requiring payment. Potential matches must be investigated in a good-faith effort by insurers to confirm the death of the insured, determine if benefits are due in accordance with the applicable policy, and attempt to locate the beneficiary and provide appropriate claims forms. Insurers are only required to confirm the possible death of an insured in group life insurance policies under certain circumstances. If beneficiaries or owners of the policies cannot be found the benefits shall escheat to the state as unclaimed property. The failure to comply with these provisions with such frequency as to constitute a general business practice shall constitute an unfair trade practice, but shall not give rise to a private cause of action.

An insurer who has not engaged in any asymmetric conduct, as defined in the act, prior to January 1, 2018, is only required to comply with the act in regards to policies, contracts, or retained asset accounts issued after January 1, 2018.

SS SCS HCS HB 2194 – Relating to the regulation of insurance. (Signed 6/23/16)

The act repeals provisions which require individual risk premium modification rating plans used by workers' compensation insurers to be actuarially justified, not result in premiums which are excessive, inadequate, or unfairly justified, and to be applied on a statewide basis. The act also removes the prohibition on the removal or reduction of premium credits unless there is a change in the insurer, the insurer amends or withdraws the rating plan, or there is a change in the insured employer's operations.

When premium modifications result due to a schedule rating plan with an underwriter determining individual risk characteristics, then up to an additional ten percent credit may be given for a reduction in the insurer's expenses, rather than "an additional ten percent" reduction.

Insurance companies may file one affidavit, in cases of adopted market conduct reports from the Department of Insurance, indicating acceptance of such reports rather than requiring all directors of a company to file an affidavit. This affidavit will be executed by its general counsel or chief legal officer.

Currently, an insurer must meet certain notification requirements before refusing to renew a homeowner's insurance or an automobile insurance policy. The act provides that an insurer does not need to meet such notice requirements when: 1) the insurer assigns or transfers the policy to an affiliate or subsidiary within the same insurance holding company, 2) the assignment or transfer is effective upon the expiration of the existing policy, and 3) prior to providing coverage for a subsequent policy term the insurer accepting the assignment or transfer provides notice of the assignment or transfer to the insured.

If after the assignment or transfer of a policy the coverage will not be substantially equivalent to the coverage in the policy prior to the assignment or transfer, then the insurer must notify the policyholder that some coverage provisions will change.

This act allows property and casualty insurers and reinsurers to write limited amounts of life insurance that are attached as riders to policies outside of the United States, provided that the aggregate premium assumed annually does not exceed three percent of the capital and surplus of the company as of December 31st of the preceding year.

This act creates a regulatory system for self-service storage insurance and the selling of such insurance. This act allows a limited lines self-service storage producer to offer and disseminate self-service storage insurance. Producers shall meet certain licensing and training criteria. Producers shall also maintain a register of individuals that offer the self-service storage insurance on the producers' behalf and make the information contained in the register available to the Department of Insurance, Financial Institutions, and Professional Registration upon request. The producers shall also require each employee and authorized representative of the producer whose duties include offering and disseminating self-service storage insurance to receive training that meets minimum standards outlined in the act, which shall be reviewed and approved by the Director of the Department.

Producers offering and disseminating self-service storage insurance shall provide brochures or other print materials to prospective purchasers that meet minimum standards as outlined in the act. Self-service storage insurance producer's employees and authorized representatives shall not engage in certain activities including evaluating the technical terms of the policies or holding themselves out

as insurance producers. Limited lines self-service storage insurance producers, operators, employees and authorized representatives may offer and disseminate self-service storage insurance policies in an amount not to exceed $5,000 per customer per unit.

Judicial Administration

CCS #2 HCS SS SCS SB 572 – Relating to local government. (See Local Government Law)

***CCS HCS SCS SB 578 – Relating to judicial proceedings.** (See Commercial Law)

SCS SB 585 – Relating to the division of multicounty judicial circuits. (Signed 2/18/16)

Currently, the Thirty-Eighth Judicial Circuit consists of Christian and Taney counties. The act provides that the Thirty-Eighth Judicial Circuit shall consist of only Christian County and creates a new Forty-Sixth Judicial Circuit consisting of Taney County. The Forty-Sixth Judicial Circuit shall have one circuit judge elected in 2016. Juvenile officers employed in a multicounty circuit which switches to a first class single county circuit on or after August 28, 2016, are state employees and shall receive state-provided benefits. This act contains an emergency clause.

***HCS SCS SBs 588, 603 & 942 – Relating to petitions for the expungement of records.** (See Criminal Law)

HCS SS #2 SCS SB 590 – Relating to crime. (See Criminal Law)

SCS SB 591 – Relating to expert witnesses. (**Vetoed** 6/28/16)

This act provides that current standards for admitting expert testimony in a civil action shall apply to legal actions adjudicated in probate court, juvenile court, family courts, or in actions involving divorce, marriage, adoption, child support orders, or protective orders.

In all other legal actions an expert witness may testify in a court proceeding if the expert has specialized knowledge that will help the trier of fact understand the evidence, the testimony is based on sufficient facts and the product of reliable principles, and if the expert has reliably applied such principles to the facts of the case.

An expert may base an opinion on facts in the case that the expert has been made aware of or personally observed. If experts in the particular field would reasonably rely on those kinds of facts in forming an opinion, the facts need not be admissible for the opinion to be admitted. If the facts would otherwise be inadmissible, the proponent may disclose them to the jury only if their probative value outweighs their prejudicial effect.

An expert witness shall not testify on the defendant's mental state which constitutes an element of the crime. An expert witness may state an opinion without first testifying to the underlying facts, but may be required to do so on cross-examination.

A real property owner is competent to testify as to the reasonable market value of his or her land, in accordance with certain case law listed in the act.

HCS SS SCS SB 657 – Relating to motor vehicles. (See Tort & Transportation Law)

CCS HCS SB 735 – Relating to judicial proceedings. (Signed 7/13/16)

COURT AUTOMATION FUND (476.055) – The act provides that any unexpended balance remaining in the Statewide Court Automation Fund shall be transferred to general revenue on September 1, 2023, rather than September 1, 2018, as provided in current law.

The act also adds the executive director of the Missouri Office of Prosecution Services and the director of the State Public Defender System as members of the Court Automation Committee. The court fee collected for the court automation fund shall expire on September 1, 2023, rather than September 1, 2018, and the Court Automation Committee must complete its duties by September 1, 2025, rather than September 1, 2020.

BASIC CIVIL LEGAL SERVICES FUND (477.650) – The act extends the expiration date for provisions regarding funding for the legal representation of low-income persons from December 31, 2018, to December 31, 2025.

PUBLIC DEFENDERS (600.042, 600.090, & 600.101) – Under current law, the director of the State Public Defender System must implement a plan to establish district offices that align with judicial circuit boundaries by December 31, 2018. This act extends the date of implementation to December 31, 2021.

Current law allows the director of the Missouri State Public Defender System to delegate the legal representation of any person to any licensed attorney. This act specifies that the director can delegate the legal representation of people who are eligible for representation by the Public Defender System.

In addition, current law allows unexpended funds of up to $150,000 to remain in the Legal Defense and Defender Fund at the end of the fiscal year. This act removes the cap, so all unexpended money remains in the fund.

This act repeals a provision requiring the Commission on Judicial Resources to report to certain Senate and House committees regarding office space for public defenders.

SS SCS SB 838 – Relating to the transfer of wireless telephone numbers. (See Business Law)

SS #2 SB 847 – Relating to evidence for the cost of medical care and treatment. (See Civil Procedure)

SS #2 SCS HCS HB 1550 – Relating to child custody orders. (See Family and Juvenile Law)

***SS HCS HB 1765 – Relating to civil proceedings.** (See Civil Procedure)

SS SCS HCS HB 1862 – Relating to landlords and tenants. (See Property Law)

Labor and Employment Law

SCS SB 613 – Relating to worker's compensation. (Effective pursuant to Article 3, Section 31 of the Missouri Constitution 7/14/16)

WORKERS' COMPENSATION FOR VOLUNTEER FIREFIGHTERS (287.245) – The act permits volunteer fire protection associations to apply to the state fire marshal for grants for the purpose of funding the workers' compensation insurance premiums for the association's volunteer firefighters. Grants shall be disbursed by the marshal, subject to appropriations, based upon the number of volunteer firefighters which received workers' compensation benefits from claims arising out of and in the course of the prevention or control of fire or the underwater recovery of drowning victims in the preceding calendar year. The schedule is as follows:

- Associations which had 0-5 claims shall be eligible for $2,000;
- Associations which had 6-10 claims shall be eligible for $1,500;
- Associations which had 11-15 claims shall be eligible for $1,000; and
- Associations which had 16-20 claims shall be eligible for $500.

WORKERS' COMPENSATION PREMIUM RATES--SPLIT POINT – Currently, the uniform experience rating plan of workers' compensation insurance must prohibit an adjustment to the experience modification of an employer if the total medical cost does not exceed $1,000, the employer pays all of the medical costs, there is no lost time from the employment (subject to exceptions), and no claim is filed. This act changes the medical cost amount limit to 20% of the current split point of primary and excess losses under the uniform experience rating plan.

The act further provides that, for purposes of calculating the premium credit under the Missouri contracting classification premium adjustment program, an employer within the construction group of code classifications may submit to the advisory organization the required payroll record information for the first, second, third, or fourth calendar quarter of the year prior to the workers' compensation policy beginning or renewal date, provided the employer clearly indicates for which quarter the payroll information is being submitted.

CCS SB 700 – Relating to workers' compensation. (Effective pursuant to Article 3, Section 31 of the Missouri Constitution 7/14/16)

VETERANS' ORGANIZATIONS EXEMPTION – The act exempts volunteers of qualified tax-exempt veterans' organizations from workers' compensation laws.

WORKERS' COMPENSATION FOR VOLUNTEER FIREFIGHTERS (See Labor and Employment Law, SCS SB 613)

WORKERS' COMPENSATION PREMIUM RATES--SPLIT POINT (See Labor and Employment Law, SCS SB 613)

SB 702 – Relating to employment security. (Signed 7/14/16)

This act permits the recovery of:

- Overpaid unemployment compensation benefits;
- Benefits obtained by reason of nondisclosure or misrepresentation of a material fact; or
- Benefits obtained by reason of error, omission, or lack of knowledge of a material fact on the part of the Division of Employment Security through billing, setoffs against state and federal tax refunds, intercepts of lottery winnings, and collection efforts as provided under current law.

The act further requires 15% of payments made toward a penalty assessed for benefits fraudulently received to be immediately deposited into the state unemployment compensation fund. The remaining penalty amount due is credited to the special employment security fund.

Current law states that any person who receives unemployment compensation benefits as a result of error or lack of knowledge of material fact on the part of the Division, shall have such sums of benefits deducted from future benefits, after an opportunity for a fair hearing. This act

gives the Division the discretion, after an opportunity for a fair hearing, to either deduct the sums of wrongfully paid benefits from future benefits payable to the individual or require repayment to the Division the amount of benefits wrongfully received.

The act further provides that a taxicab driver shall not be considered to be an employee of the company that leases the taxicab to the driver unless it is shown that the driver is an employee of that company by application of the IRS 20-factor right-to-control test.

SS#2 SCS HCS HB 1432 – Relating to administrative leave. (**Vetoed** 6/28/16)

This act requires that a hearing be held within 60 days from the date that an employee was placed on administrative leave. Any hearing may be continued for good cause, but shall in no event be continued beyond 180 days from the date the employee was placed on administrative leave. This requirements does not apply when a law enforcement agency, or other state or federal agency has been referred the misconduct of the employee or has initiated its own investigation of the misconduct of the employee.

The act further requires that an employee be advised in writing within seven days of being placed on administrative leave of the general reason or reasons for being placed on administrative leave. Such documents shall not be subject to the Sunshine Law.

Any employer that is also a school district is required to notify the Board of Education within 30 days of placing an employee on administrative leave of the reason or reasons for the placement.

If an employee is removed from administrative leave within 30 days, the employer is not required to hold a hearing.

The provisions of this act apply only to state employees and employees of a school district.

HB 1530 – Relating to unemployment compensation benefits. (Signed 6/6/16) (See Labor and Employment Law, SB 702)

HB 1763 – Relating to workers' compensation large deductible policies. *(***Vetoed** 5/17/16)

This act requires all workers' compensation large deductible claims which are also covered claims to be turned over to the responsible guaranty association, unless otherwise stipulated by the guaranty association. However, in the event that an insured pays a deductible claim pursuant to an agreement with a guaranty association, no receiver or guaranty association shall have any obligation to pay such claim or reimburse the insured.

The act entitles guaranty associations to reimbursement, subject to any reasonable and actual expenses recovered by the receiver, from the insured for payment of deductible claims in the event that the insurer would have been entitled to such reimbursement. If the guaranty association is not reimbursed, they are entitled to assert a claim for the amount owed in subsequent disciplinary proceedings.

The receiver is required to take all commercially reasonable actions to collect reimbursements for deductible claims and bill the insured for such reimbursement. Insolvency of the insurer or its inability to perform its obligations under the policy is not a defense to the insured's failure to reimburse, except in the case in the case of gross negligence or an allegation of improper handling or payment of a deductible claim.

The act requires receivers to utilize collateral, if available, to secure the insured's obligations to fund or reimburse deductible claims or other secured obligations. The act sets out the procedures for satisfying claims with collateral.

The provisions of this act are only applicable to workers' compensation large deductible policies issued by an insurer subject to delinquency proceedings. Moreover, only the court having jurisdiction over the delinquency proceedings shall have jurisdiction over the provisions of this act.

This act contains an emergency clause.

SS HCS HB 1891 – Relating to labor organizations. (**Vetoed** 3/18/16) (NO OVERRIDE)

This act allows public employee labor unions to withhold fees from public employee paychecks only upon the annual consent of the employee. The act also requires the public employee's annual consent for public employee labor unions to use fees and dues for political purposes. Any authorization required by this act may be in written or electronic form.

The employee must authorize the amount to be used for political contributions to be transferred to the labor union's continuing committee. Authorizing or refraining from authorizing any amount shall in no way affect employment.

Public employee first responders are exempted from these provisions.

All public labor organizations are required to maintain financial records in substantially the same form as are required by federal law. Such organizations are further required to make such records available to each public employee it represents, in an electronic searchable format. Represented employees have a right of enforcement of these provisions.

Local Government Law

CCS #2 HCS SS SCS SB 572 – Relating to local government. (Signed 6/17/16)

MINIMUM STANDARDS FOR MUNICIPALITIES IN ST. LOUIS COUNTY (67.287) – Currently, every municipality located within St. Louis County must provide certain municipal and financial services and reports. This act modifies the list of services that municipalities must offer. The annual audit by a certified public accountant of the municipality's finances that includes a report on internal controls to prevent misuse of funds no longer has to be prepared by a qualified financial consultant. Furthermore, a municipality only has to have an accredited police department by 2021 if the municipality has a police department or contracts with another police department for public safety services. Currently, each municipality also must have its construction code reviewed by 2018. However under the act, a municipality is not required to adopt an updated construction code.

NUISANCE ABATEMENT ORDINANCES (67.398, 67.451) – Currently, certain cities and counties may enact an ordinance to provide for the abatement of nuisances, and the ordinance may provide that if the nuisance is not removed or abated then the building commissioner or designated officer may remove or abate the nuisance. This act provides that the ordinance must require that a written notice be provided to the property owner which describes the condition of the lot, what action will remedy the nuisance, and provides not less than ten days to abate or commence removal of each condition identified in the notice. If the property owner does not occupy the property, then the notice shall be given to any occupant. Any city may recover the costs for enforcing the nuisance abatement ordinance by including the fines in the annual real estate tax bill for the property, rather than issue a special tax bill against the property. Any costs and fines not paid by December 31st of that year will be considered delinquent.

LIABILITY FOR DEBTS OF A MUNICIPALITY (71.980) – This act also specifies that the state is not liable for the debts of a municipality that is financially insolvent.

DISINCORPORATION PROCEDURES (77.700, 77.703, 77.706, 77.709, 77.712, 77.715, 79.490, 80.570, 82.133, 82.136, 82.139, 82.142, 82.145, 82.148) – The act establishes disincorporation procedures for third class cities, charter cities, and home rule cities. Upon receiving a petition signed by 25% percent of the voters of the city, the county governing body shall order an election upon the question of disincorporation of the city. The county governing body shall disincorporate the city upon an affirmative vote of a majority of those voting. Whenever the county governing body dissolves a city then the county governing body shall appoint a person to act as trustee for the corporation who shall take an oath and give bond with sufficient security. The trustee shall have certain powers as designated in the act, such as the power to prosecute and defend the corporation in a law suit, collect money due, and sell property.

The act decreased the number of signatures required on a petition to disincorporate a fourth class city or a town or village from 50% to 25% of voters, and further decreases the voter approval percentage for disincorporation from 60% of those voting to a majority.

MUNICIPAL JUDGES (479.020) – The act prohibits a municipal judge from serving on more than five municipal courts.

MUNICIPAL COURTS (479.350, 479.353, 479.359, 479.360, 479.368) – The act changes the definition of court costs to exclude any certified costs, and to include fines added to the annual real estate tax bill or a special tax bill of a property owner for the cost of nuisance abatement and removal. The definition of minor traffic violation is modified to include traffic ordinance violations for which no points are assessed to a driver's driving record and amended charges for any minor traffic violation and adds a definition for municipal ordinance violations.

The maximum allowable fine for minor traffic violations has been lowered from three hundred dollars to two hundred twenty-five dollars. For municipal ordinance violations committed within a twelve month period beginning with the first violation: the maximum allowable fine is two hundred dollars for the first offense, two hundred seventy-five dollars for the second offense, three hundred fifty dollars for the third offense, and four hundred fifty dollars for the fourth and subsequent offenses. No court costs shall be charged to defendants found to be indigent. Municipal courts are also required to not charge defendants for costs associated with community service alternatives.

Municipal ordinance violations and amended charges for municipal ordinance violations are added to the calculation limiting the percentage of annual general operating revenue that can come from fines and court costs for minor violations and to provisions regarding fines, imprisonment, and court costs in municipal court cases. Municipal ordinance violations are also added to municipal disincorporation provisions if a municipality fails to remit excess annual general operating revenue to the Department of Revenue for the county school fund and the disincorporation threshold has been lowered from sixty percent to a majority of participating voters.

***HCS SCS SBs 588, 603 & 942 – Relating to petitions for the expungement of records.** (See Criminal Law)

CCS HCS SB 656 – Relating to weapons. (**Vetoed** 6/27/16)

COUNTY SHERIFF'S REVOLVING FUND (50.535) – Under current law, any unexpended balance in a Sheriff's Revolving Fund must remain the fund to accumulate from year to year. This act provides that the unexpended funds are not required to remain in the fund and may be expended for other purposes or transferred to discretionary funds for the sheriffs so long as no claim for inadequate funding has been made within the last five years resulting in reimbursement from the Office of Administration. In addition, this act specifies that funds received by the sheriff for concealed carry permits must be used to supplement funding for sheriffs and prohibits the county commission from reducing any sheriff's budget as a result of funds received from concealed carry permits.

BACKGROUND CHECKS BY THIRD CLASS COUNTY SHERIFFS (57.281) – This act provides an optional procedure for sheriffs of third class counties to provide criminal background checks to certain specified state agencies. Fees assessed for the searches must be paid by the applicant or in the manner prescribed by the sheriff and must be deposited to the credit of a fund that contains civil service fees the sheriff charges. This act provides that all records related to any criminal history information discovered shall be accessible and available to the state, municipal, or county agency making the record request.

SELF DEFENSE (563.031) – Under current law, a person who owns or leases private property may use deadly force in self-defense or defense of others against a person who unlawfully enters or attempts to unlawfully enter the property. This act provides that deadly force may also be used by a person who occupies private property pursuant to specific authority of the property owner to occupy the property. Currently, a person does not have a duty to retreat from a dwelling, residence, or vehicle where the person is not unlawfully entering or unlawfully remaining or from private property that is owned or leased by such individual. This act provides that a person does not have a duty to retreat from any place such person who is not engaged in an unlawful activity has a right to be.

UNLAWFUL USE OF WEAPONS (571.030) – Under current law, a person commits the offense of unlawful use of weapons if the person carries a concealed knife, firearm, blackjack, or another weapon readily capable of lethal use. This act provides that the crime is committed if a person carries one of the above types of weapons in an area in which a person with a concealed carry permit is restricted from carrying firearms. The penalty is lowered from a class D felony to a class B misdemeanor. Current law exempts prosecuting and assistant prosecuting attorneys and circuit and assistant circuit attorneys from provisions criminalizing certain unlawful uses of weapons. This act specifies that municipal and county prosecuting attorneys, assistant prosecuting attorneys, circuit attorneys, and assistant circuit attorneys are exempt and adds municipal, associate circuit, and circuit judges to the list of persons who are exempt. Current law also exempts full time chiefs of fire departments and fire districts from certain otherwise unlawful uses of weapons. This act expands the exemption to apply to full-time fire department and fire district members. The act of carrying a concealed weapon onto private property whose owner has posted the premises as being off-limits with appropriate signage is declared not to be criminal act. The person may be removed from the premises and fined. This provision has a delayed effective date of January 1, 2017 and provides that certain Class D felonies of unlawful use of weapons will be Class E felonies to align with penalty modifications that will take effect on that date.

CONCEALED CARRY PERMIT FEES (571.101) – Under current law, an applicant for a concealed carry permit may be charged a fee that does not exceed $100. This act specifies that no additional fee may be charged, including any fee for fingerprinting or criminal background checks. The act also allows for an additional fee to be charged for each credit card, debit card, or other electronic transaction equal to the charge paid by the state or applicant for the use of the credit card, debit card, or other electronic payment method by the applicant.

CONCEALED CARRY EXPIRATION FOR MILITARY (571.104 & Section B) – This act provides that if a concealed carry permit expires while the permit holder is on active duty in the Armed Forces, active state duty, full-time national guard duty, or active duty with the National Guard, or the permit holder is incapacitated due to an injury incurred while in military service, the permit may be renewed within two months of the permit holder's return to Missouri after discharge from duty or recovery from the incapacitation. Once the two-month period has expired, the provisions governing late renewals apply except the penalties begin to accrue upon the expiration of the two-month period rather than on the permit's expiration date. This provision contains an emergency clause.

CONCEALED CARRY PERMIT TRAINING (571.111) – This act allows an alternate method of certification with regard to training requirements for concealed carry applicants.

LIFETIME CONCEALED CARRY PERMIT (571.126 to 571.230) – Under current law, concealed carry permits must be renewed once every five years. This act allows a Missouri resident who meets the requirements for a concealed carry permit specified under the act and pays a $500 fee to receive a concealed carry permit that is valid for the duration of the person's life. This act also allows Missouri residents who meet the requirements for a permit to pay $200 to receive a Missouri extended concealed carry permit that is valid for 10 years or $250 for an extended permit that is valid for 25 years. To renew an extended permit, the permit holder must pay $50. The lifetime and extended permits are only valid throughout the state of Missouri. The lifetime and extended permits are still subject to the same suspension and revocation provisions that apply to permits that expire every five years. The sheriff must conduct a name-based criminal background check on extended and lifetime permit holders once every five years. The lifetime and extended concealed carry permits must include a statement that the permit is valid only throughout the state of Missouri. If the holder of a lifetime or extended concealed carry permit becomes a resident of another state, the permit is suspended. It may be reactivated if the permit holder reestablishes Missouri residency, meets the requirements for a concealed carry permit, and passes a name-based criminal background check.

SB 660 – Relating to bidding procedures for county depositaries. (Signed 6/6/16)

Under current law, banking corporations or associations bidding to become the depositaries of the funds of a county are required to submit a certified check not less than the proportion of one and one-half percent of the county general revenue of the preceding year. This act changes that to an amount not less than $2,500.

CCS HCS SS SB 732 – Relating to public safety. (Signed 7/8/16)

DOMESTIC VIOLENCE (43.545, 455.543, AND 455.545) (See Criminal Law, CCS SCS SB 921)

URBAN SEARCH AND RESCUE TASK FORCES (44.010 AND 44.032) – Under this act, any urban search and rescue task force is eligible to receive funds from the Missouri Disaster Fund for any reasonable and necessary expenditures incurred in the course of responding to any declared emergency.

EMERGENCY VOLUNTEER PROGRAM (44.023) – Under current law, the State Emergency Management Agency (SEMA) is required to establish an emergency volunteer program where certain authorized professionals may volunteer the use of their services and equipment for up to 3 consecutive days as requested by SEMA. This act modifies that provision to include any individual certified by SEMA and who performs his or her duties under the direction of a licensed architect or engineer. Furthermore, such professionals are only permitted to volunteer for up to 5 consecutive days.

Volunteers are required to assist local jurisdictions and local building inspectors to provide essential demolition, cleanup or other related services and to determine whether structures affected by a disaster:

1. Have not sustained serious damage and may be occupied;
2. Must be restricted in their use pending repairs; or
3. Are unsafe and shall not be occupied pending repair or demolition.

Volunteers under the program are required to be provided workers' compensation insurance by SEMA during their official duties as part of the program.

Furthermore, volunteers certified by SEMA shall be considered to be state employees for purposes of the Emergency Mutual Aid Compact.

Volunteers acting under this provision shall not be personally liable, either jointly or separately for acts committed in their official duties as emergency volunteers, except in the case of willful or gross negligence.

POLITICAL ACTIVITY OF FIRST RESPONDERS (67.145) – This act inserts a new definition for the term "first responder" as it applies to restricting the political activity of first responders.

INSTALLATION OF FIRE SPRINKLERS (67.281) – This act removes the expiration date on the requirement that builders of one and two family dwellings must offer to install fire sprinklers in the home.

SHELTERED WORKSHOPS (70.210) – This act adds the board of a county sheltered workshop to the types of political subdivisions that may contract and cooperate with other political subdivisions for a common service.

UNARMED SECURITY GUARDS (84.720) – This provision stipulates that any individual who holds an occupational license issued by the Missouri Gaming Commission for the purpose of performing the duties of an unarmed security guard while working on an excursion gambling boat, or at a facility adjacent to an excursion gambling boat, shall be exempt from certain licensing requirements.

LIBERTY AND NORTH KANSAS CITY SALES TAX FOR PUBLIC SAFETY (94.902) – This act authorizes

Liberty and North Kansas City to impose a sales tax of up to .5% solely for the purpose of improving the public safety of the city subject to voter approval. Revenue from this tax may be used for expenditures on equipment, salaries and benefits, and facilities for police, fire, and emergency medical providers.

BOARD MEMBERS OF CERTAIN PUBLIC SAFETY DISTRICTS (190.055 AND 321.017) – Individual board members of an ambulance district or fire protection district shall not be eligible for employment by the board within twelve months of termination of service as a member of the board unless such employment is on a volunteer basis or without compensation.

REGIONAL EMS COMMITTEE (190.102 & 190.103) – Current law provides a list of topics that Regional EMS Advisory Committees are to advise and provide recommendations to the region and Department of Health and Senior Services on. These provisions add community and regional time critical diagnosis plans to the list. In addition, the Regional EMS Medical Director must serve as a member of the Regional EMS Committee.

This act also provides that the Regional EMS Medical Director must serve a four-year term. The southwest, northwest, and Kansas City regional EMS medical directors must be elected to an initial two-year term. The central, east central, and southeast Regional EMS Medical Director must be elected to an initial four-year term.

EMT LICENSURE (190.142) – The act further modifies provisions relating to licensure requirements for an EMT. Specifically, it requires any rules or regulations promulgated by the Department of Health and Senior Services relating to initial licensure testing to be through the national registry of EMT's or to be examinations developed and administered by the Department of Health and Senior Services.

TRANSFERS OF CERTAIN PATIENTS (190.144 & 190.240) – This provision provides that no licensed emergency medical technician, if acting in good faith and without gross negligence, is liable for transporting persons ordered detained as a result of drug or alcohol abuse or a mental disorder or for physically or chemically restraining an at-risk behavioral health patient if the restraint is to ensure the safety of the patient or technician.

The provision further requires hospitals and nursing homes to have policies and procedures that require the hospital or facility to give advance notification to emergency medical services personnel prior to the transportation of any at-risk behavioral health patient.

Any physician treating an at-risk behavioral patient in an emergency situation who, after assessing the patient, determines that there is a reasonable cause to believe there is a likelihood that the patient may cause an imminent serious harm to himself, herself, or others unless the patient is immediately transported to another appropriate facility may place the patient on a temporary involuntary hold for a period of time necessary to effectuate the patient's transport, upon initiation by the receiving or sending facility. During the transport, the emergency medical services personnel may rely on the physician's hold order as a basis for implied consent to treat and transport the patient and shall not be liable for any claims of negligence, false imprisonment, or invasion of privacy based on such temporary hold, treatment, or transport of the patient.

CAUSE FOR DISCIPLINE FOR LICENSED EMS PROVIDERS (190.165 & 190.173) – Currently, the Department of Health and Senior Services may cause a complaint to be filed with the Administrative Hearing Commission against a holder of certain emergency-service-related certificates, licenses, or permits if the person violates certain specified regulations. This act modifies the list of regulations.

In addition, this act requires the Department to explain to a licensee who is the subject of an investigation that the licensee has the right to legal counsel, have anyone present he or she desires, and refuse to answer any question or provide any written statement. This act specifies that the assertion of any of the above rights is not to be deemed as a failure to cooperate.

Under this act, the Department may impose a suspension or revocation as a disciplinary action only if it first files a complaint with the administrative hearing commission. The commission is not permitted to grant summary judgement if the licensee files an answer contesting the department's complaint.

Under this act, all complaints, investigatory reports, and information pertaining to any applicant, holder of any certificate, permit, or license, or other individual are confidential and must only be disclosed upon written consent of the person whose records are involved or to other administrative or law enforcement agencies acting with the scope of their statutory authority. No applicant, holder of any certificate, permit, or license, or other individual shall have access to any complaints, investigatory reports, or information concerning an investigation in progress.

This act provides that certain information regarding licensees and final disciplinary actions is not confidential.

ALTERNATIVE STROKE CENTER DESIGNATIONS AND COLLECTION OF EMERGENCY CARE DATA (190.241 and 192.737) (See Health and Hospital Law, CCS HCS SB 635)

FIRST INFORMER BROADCASTER ACT (190.260) – This act requires the Department of Public Safety, in cooperation with any statewide organization representing broadcasters, to establish a program for training and certifying broadcast engineers and technical personnel as first informer broadcasters.

The program must provide training and education concerning the restoration, repair, and resupply of broadcaster facilities and equipment in emergency or disaster areas and the personal safety of first informer broadcasters.

Under this act, state and local governmental agencies must allow first informer broadcasters access to emergency or disaster areas to restore, repair, or resupply critical broadcaster facilities and equipment.

The statewide association involved in establishing the training program must pay the costs of developing and implementing the program.

MEDICAL HELIPAD FENCES (190.265) (See Health and Hospital Law, CCS HCS SB 635)

STODDARD COUNTY EMERGENCY TELEPHONE SERVICE BOARD (190.335) – Under current law, the counties of Christian, Taney, and St. Francois, if they impose a county sales tax for the central dispatch of emergency services, must appoint the members of a board to oversee the money collected under the tax and the provision of emergency services in the county. In other counties, the board is elected. This act adds Stoddard County to the list of counties that appoint the board.

MANDATED REPORTERS OF ELDER ABUSE (192.2400, 192.2405, AND 192.2475) – Under current law, certain individuals are required to report incidents of elder abuse to the Department of Health and Senior Services. This act adds first responders, as defined in the act, to the list of mandated reports. Additionally, this act requires reporters to report incidents of bullying to the Department. "Bullying" is defined as intimidation or harassment that causes a reasonable person to fear for his or her physical safety or property and may consist of physical actions, cyberbulling, oral, written, or electronic communication, or retaliation for reporting such acts.

MO HEALTHNET REIMBURSEMENT FOR GROUND EMERGENCY MEDICAL TRANSPORTATION SERVICES (208.1030 and 208.1032) (See Health and Hospital Law, CCS HCS SB 607)

The Department of Social Services is also required to design and implement an intergovernmental transfer program relating to ground emergency medical transport services in order to increase capitation payments for the purpose of increasing reimbursement to eligible providers, managed care plans, and coordinated care organizations, as detailed in the act. Any eligible provider participating in this program shall agree to reimburse the department for any costs associated with implementing the program. This provision is subject to federal approval, as necessary.

WORKERS' COMPENSATION FOR VOLUNTEER FIREFIGHTERS (See Labor and Employment Law, SCS SB 613)

SAFETY PROCEDURES FOR CERTAIN STATIONARY VEHICLES (304.022 AND 307.175) – This act adds stationary vehicles owned by a contractor performing work for the Department of Transportation with amber and white lights to the list requiring specific safety procedures for drivers approaching such stationary vehicles.

FIRE PROTECTION DISTRICT DIRECTOR QUALIFICATIONS (321.130 AND 321.210) – A person who is qualified to serve as director of a fire protection district must be over the age of 24 and must be a resident and voter in the district for at least one year before election or appointment. Fees for filing nominations and declarations of candidacy shall be equal to the amount paid by a candidate for county office.

DUTY TO OBEY FIREFIGHTERS (575.145) – Under current law, it is a class A misdemeanor to willfully fail or refuse to obey signals or directions or willfully resist or oppose a law enforcement officer in the proper discharge of his or her duties. This act includes firefighters in that crime.

MOBILE VIDEO RECORDINGS (610.100) (See Local Government Law, SCS HB 1936)

CRIME SCENE PHOTOS (610.205) – The act further inserts new provisions to the Sunshine Law relating to crime scene photographs and video recordings. Under this provision, certain crime scene photographs or video recordings, including those produced by a state or local agency or by a perpetrator or suspect at a crime scene, shall be considered closed records and not subject to disclosure under the open meetings and records law, commonly known as the sunshine law. The provisions of this amendment shall not prohibit disclosure of the material to the deceased's next of kin or to an individual who has secured a written release from the next of kin.

In closed criminal investigations, a court may order the disclosure of such photographs or video recordings upon

findings that the disclosure is in the public interest and outweighs any privacy interest that may be asserted by the deceased's next of kin. Prior to releasing any crime scene material, the custodian must give the deceased's next of kin at least two weeks' notice, which cannot be shortened by a court. This amendment shall apply to all undisclosed material in the custody of a state or local agency on or after the effective date of the amendment. This amendment shall not apply to disclosure of such material to an attorney representing a defendant in a habeas corpus action or other post-conviction motion. Such an attorney may share the material with the client or any expert or investigator, but shall not further disseminate the material.

The director of the Department of Public Safety must establish rules governing the viewing of the materials by the press.

CCS HCS SCS SB 765 – Relating to public safety. (Signed 7/13/16)

POLITICAL ACTIVITY OF FIRST RESPONDERS (67.145) (See Local Government Law, CCS HCS SS SB 732)

REGIONAL JAIL DISTRICTS (221.407) – Currently, regional jail districts are authorized to impose a sales tax of up to 1/2% on sales in the district. The authority to impose this tax expires on September 30, 2015. This act extends the authority of the districts to collect the tax until September 30, 2028. This act also allows the Director of Revenue to make refunds instead of allowing the Director of Revenue to authorize the State Treasurer to make refunds.

TRAFFIC CITATION QUOTAS (304.125 & 575.320) – This act prohibits a political subdivision or law enforcement agency from having a policy requiring or encouraging an employee to issue a certain number of traffic citations on a quota basis.

Under current law, a public servant commits the Class A misdemeanor of misconduct in administration of justice if he or she orders a St. Louis County employee to issue a certain number of traffic citations except when the employee is assigned exclusively to traffic control and has no other responsibilities or duties.

This act expands the provision to make it apply to employees of any political subdivision, not just St. Louis County. In addition, the act removes the exception for employees assigned exclusively to traffic control and specifies that a public servant also commits the misdemeanor by ordering an employee to increase the number of tickets the employee is issuing.

MOBILE VIDEO RECORDINGS (610.100) (See Local Government Law, SCS HB 1936)

CCS HCS SS SB 786 – Relating to elections. (See State Government and Election Law)

CCS HCS SB 867 – Relating to political subdivisions. (See Taxation and Revenue)

SS SCS SB 919 – Relating to intoxicating liquor. (Signed 7/1/16)

MALT LIQUOR (311.090 & 311.200) – Current law allows for the issuance of a license to sell malt liquor that has an alcohol level of no more than five percent by weight in cities of less than 19,000 in which voters have not authorized the sale of intoxicating liquor. This act removes the five percent alcohol limit on the malt liquor and adds a reference to a statutory definition of malt liquor.

MICROBREWERIES (311.195) – Currently, microbreweries may receive a license to sell intoxicating liquor by the drink at retail for consumption on the premises. This act specifies that a license allows a microbrewery to sell all kinds of intoxicating liquor as defined by statute and the consumption may occur on the premises of the microbrewery or in close proximity to it. In addition, this act repeals a provision of current law specifying that certain statutes regarding the authority of cities and counties to collect liquor license fees and other liquor regulations apply to microbreweries.

COOLERS (311.198 & Section B) – Beginning January 1, 2017, this act allows a brewer to lease portable refrigeration units to retail licensees at a value equal to the cost of the unit to the brewer. A brewer may also enter into lease agreements with wholesalers, who may enter into sub-lease agreements with retail licensees at a value equal to the cost of the unit to the brewer. The brewer or wholesaler may also recover 2% of the total lease value at the execution of the lease. A wholesaler may not directly or indirectly fund the cost or maintenance of the portable refrigeration units. Under this act, no portable refrigeration unit may exceed certain height, width, and depth dimensions as set forth in this act. The portable refrigeration unit may bear in a conspicuous manner substantial advertising matter about a product or products of the brewer, and no retail location may have more than one unit. Under this act, a retail licensee may sell any product from such units, but dispensing equipment may not be attached to the unit and liquor may not be dispensed from the unit. Further, if a brewer or wholesaler provides such portable refrigeration units, they shall provide the Division of Alcohol and Tobacco Control certain information within 30 days as set forth in this act. This section shall expire on January 1,

2020, except any lease executed prior to January 1, 2020 shall remain in effect until the expiration of such lease.

GROWLERS (311.201) – This act allows any person who is licensed to sell intoxicating liquor in the original package at retail to sell 32 to 128 ounces of draft beer for consumption off the premises. This act specifies that no law or rule of the Supervisor of Alcohol and Tobacco Control shall be interpreted to allow a liquor wholesaler, distributor, or manufacturer to provide dispensing or cooling equipment or growlers to anyone who has a retail license to sell liquor in the original package. This act provides the manner in which growlers may be filled and refilled and requirements for certain information to be provided on the growler.

CONTROLLED LIQUOR SELF-DISPENSING SYSTEMS (311.205) – Currently, licensed liquor retailers may use table tap dispensing systems that allow patrons to self-dispense up to 32 ounces of beer per patron at their tables. This act expands this statute to allow licensed liquor retailers to use self-dispensing systems that allow patrons to self-dispense up to 32 ounces of beer or 16 ounces of wine. The act removes references to table taps and instead refers to self-dispensing systems.

LOCAL LIQUOR LICENSES (311.220) – Under this act, each liquor licensee must prominently display a copy of any city or county liquor license on the licensed premises. This act specifies that the Division of Alcohol and Tobacco Control may not disapprove an application for a liquor license for failing to possess a local liquor license. In addition, this act requires the licensee to file a copy of its local liquor license with the Division of Alcohol and Tobacco Control within ten days from the issuance of the local license.

PROOF OF AGE TO PURCHASE LIQUOR (311.328) – This act adds nondriver's licenses to the list of types of identification that may be used as proof of age to purchase liquor.

SALES TAX STATEMENTS (311.665) – Under current law, applicants for a new or renewal liquor license must provide a statement from the Department of Revenue that the applicant has paid all sales and use taxes due. This act only requires applicants seeking to renew a license to provide the statement. In addition, this act requires a licensee to file with the Division of Alcohol and Tobacco Control a copy of the sales tax statement within 10 days from its issuance by the Department of Revenue.

FESTIVAL PERMIT FOR OUT-OF-STATE MANUFACTURERS (311.915) – Under this act, an out-of-state liquor manufacturer who is not licensed in Missouri may receive a special permit to participate in festivals, bazaars, and other events. The manufacturer does not need to follow label registration requirements for state-licensed manufacturers. The permit only allows up to 200 gallons of liquor to be shipped in the state. The licensed manufacturer holding the retail license for the event must pay the excise taxes on the liquor. The permit is valid for up to 72 hours and costs $25.

CCS HCS SB 994 – Relating to alcohol. (See AGRICULTURE AND ANIMAL LAW)

SB 1002 – Relating to community improvement districts. (Signed 6/29/16)

Under this act community improvement districts may be audited by the State Auditor in the same manner as state agencies.

HCS HB 1418 – Relating to transportation development districts. (Signed 6/29/16)

This act requires the State Auditor to report to the Department of Revenue any transportation development district that fails to submit an annual financial statement. Upon notification from the Auditor, the Department shall notify the non-compliant district by certified mail that it has 30 days from the postmarked date to submit the required financial statement to the Auditor. If the statement is not received by the Auditor within the 30 day period, the district will be fined $500 per day beginning on the thirty-first day from the postmarked date and will continue until the Auditor receives a copy of the financial statement. The Department may collect the fine by offsetting any sales or use tax distributions due to the district and the revenues from the fines shall be distributed annually to the schools of the county, except the Department shall retain 2% for the costs of collection. Any district with gross revenues of less than $5,000 in the fiscal year for which the financial statement was not timely filed shall not be subject to fines authorized in the act.

Additionally, any district previously organized shall notify the Auditor in writing of the date it was organized and provide contact information for the current board by December 31, 2016. Any district organized after August 28, 2016, shall notify the Auditor of the same within 30 days of the date of the first meeting of the board. Audits performed by the Auditor shall be paid by the district, except the costs shall not exceed 3% of gross revenues of the district. Any remaining costs shall be absorbed by the Auditor's office.

SS#2 SCS HCS HB 1432 – Relating to administrative leave. (See Labor and Employment Law)

SCS HCS HBs 1434 & 1600 – Relating to tax increment financing. (See Taxation and Revenue)

HB 1443 – Relating to the Missouri Local Government Employees' Retirement System. (Signed 6/6/16)

This act provides that a political subdivision that provides a retirement plan to some or all of its employees and that is an employer in the Missouri Local Government Employees' Retirement System (LAGERS) may enter into an agreement with LAGERS assigning all duties and responsibilities of operating the retirement plan to LAGERS.

After making the necessary changes to the plan's governing documents, and receiving a concurring resolution from the prior plan's board of trustees, the political subdivision employer may enter into an agreement with the Board of LAGERS who will become the governing board of the political subdivision's prior plan. The prior plan shall be administered as a frozen prior system and will continue to operate under its existing governing documents. The political subdivision shall retain responsibility for the funding of its prior plan.

SCS HCS HB 1474 – Relating to the requirement of filing certain disclosure reports in an electronic format with the Missouri Ethics Commission. (See State Government and Election Law)

SS HCS HB 1477 – Relating to political parties. (See State Government and Election Law)

HCS HB 1480 – Relating to absentee ballots. (See State Government and Election Law)

HB 1593 – Relating to payments due by collectors. (Signed 6/6/16)

This act provides that the 10% per month penalty for which a collector or collector-treasurer is liable upon failure to make a payment due on settlement does not apply to collections related to taxes paid under protest or as part of a disputed assessment.

SS #2 SCS HB 1631 – Relating to elections. (See State Government and Elections Law)

SCS HCS HB 1713 – Relating to the regulation of water systems. (See Environmental and Energy Law)

HB 1870 – Relating to the collection of money by public entities. (**Vetoed** 7/1/16)

BIG GOVERNMENT GET OFF MY BACK ACT (1.310) – Under this act, the state of Missouri shall not increase any user fees for a five-year period beginning August 28, 2016, unless the fee increase is to implement a federal program administered by the state or is a result of an act by the General Assembly. For a five-year period beginning August 28, 2016, any state agency proposing a rule not required by the federal government or the general assembly must, in addition to current requirements, certify the rule relates to implementing a government program that uses private contractors and the rule would result in net savings for Missouri taxpayers.

RESTRICTIONS ON BUSINESS LICENSE TAXES (94.360) – Provides that certain towns or cities may not impose a business license tax under more than one of the three sections allowing for a business license tax.

HEALTH INSURANCE PREMIUMS AND TAXABLE INCOME (143.121) – Currently, taxpayers must file proof that the taxpayer paid their health insurance premiums before deducting that amount from their Missouri taxable income. Under this act, such proof is not mandatory but may be requested by the Department of Revenue.

TAX DEDUCTION FOR SMALL BUSINESSES (143.173) – For the 2016-2020 tax years, any small business shall be allowed an income tax deduction for each new job created. This act contains a sunset provision.

FEDERAL WORK AUTHORIZATION PROGRAMS (285.530) – Participation in a federal work authorization program would not be a condition to receive a contract or grant in excess of $5,000 from the state or any political subdivision or a state-administered or subsidized tax credit, tax abatement, or loan from the state if participation in such program would result in a substantial difficulty or expense for the business entity.

SCS HB 1936 – Relating to law enforcement officers. (Signed 7/8/16)

SHERIFF ASSISTANCE (57.111) – Under current law, sheriffs and deputy sheriffs may render assistance in an adjoining county upon the request of that county's sheriff. When rendering such assistance, the responding sheriffs and deputies have the same powers of arrest in the requesting county as they have in their own county. This act provides that sheriffs and deputy sheriffs may render such assistance in any county in the state.

This act also specifies that, for purposes of workers' compensation, overtime, and expense reimbursement, any sheriff or deputy rendering assistance in another county shall be deemed an employee of the responding county sheriff's office.

INMATE PRISONER DETAINEE SECURITY FUND (488.5026) – This act provides that the money in the Inmate Prisoner Detainee Security Fund must be used to supplement the sheriff's funding. Under this act, a county commission may not reduce a sheriff's budget as a result of the moneys received from the fund.

MOBILE VIDEO RECORDINGS (610.100) – Mobile video recordings from a law enforcement vehicle or a device carried by a law enforcement officer that includes a camera and recording capability are considered a closed record until the investigation becomes inactive.

A mobile video recording in a nonpublic location may be closed, except that any person depicted in the recording or certain other persons may obtain a complete, unaltered and unedited copy of the recording.

The act adds legal guardians or parents of a minor as being able to obtain closed investigative or mobile video records in the same way that any person could obtain such records.

Any person may bring an action to authorize disclosure of a mobile video recording and the court may order that all or part of the recording be released to the person. In making its determination on release, the court shall consider factors outlined in the act, including the benefit to the public as opposed to the harm to the public, to the law enforcement agency or its officers, or to any person identified in the recording. The mobile video recording may be examined by the court in its chambers. If disclosure of either a mobile video recording or an investigative report is authorized, the court may make any order that justice requires and set forth conditions for or limitations on the disclosure as authorized in the act.

The act provides that any person who requests and receives a mobile video recording that was recorded in a nonpublic location is prohibited from displaying or disclosing the recording without first affording any non-law enforcement person whose image or sound is contained in the recording the opportunity to seek a court order enjoining all or some of the display or disclosure. Any person who fails to comply with this provision is subject to damages in a civil action.

HB 2237 – Relating to University of Missouri extension councils. (**Vetoed** 7/8/16)

DUTIES OF COUNTY COMMISSIONERS (49.098) – This act allows the county commissioner of all counties serving on various boards and commissions to participate in the affairs of the body and vote on any funding request submitted to the county commission.

AUTHORITY OF EXTENSION COUNCILS (262.590) – This act also allows a University of Missouri extension council to obtain financing in connection with the purchase or acquisition of property. The financed amount shall not constitute a debt of the University, and the University shall have no obligation for repayment for any part of the financed amount.

SS SCS HCS HB 2376 – Relating to construction regulation. (Signed 7/1/16)

This act creates new provisions of law relating to construction management which enable political subdivisions to use design-build or construction management at-risk methods and modifies a provision of current law dealing with highway design-build project contracts.

CONSTRUCTION MANAGERS AT-RISK (67.5050) – The act creates the construction manager-risk method which political subdivisions are permitted to use when engaging in civil-works projects in excess of $2 million and non-civil works projects in excess of $3 million. When entering into contracts for the services of a construction manager at-risk for such construction projects, political subdivisions are required to follow the procedures set forth in this act.

Political subdivisions are required to select both a construction manager at-risk and an engineer or architect who will prepare the construction documents for the project. The engineer is not permitted to serve as the construction manager at-risk.

Construction managers at-risk are required to publicly advertise and receive bids or proposals from trade contractors or subcontractors. In the event that the political subdivision has a preference for a subcontractor or trade contractor that differs from the construction manager at-risk, the political subdivision is required to compensate the construction manager at-risk by the change in price, time, or guaranteed maximum cost for any additional cost and risk incurred by the construction manager at-risk.

A political subdivision is required to publish a request for proposal or qualifications in a newspaper of general circulation for a period of two weeks prior to opening the submitted proposals or qualifications. Within 45 days, the political subdivision shall evaluate each proposal and interview at least two of the top offerors. The political subdivision is required to select the proposal that offers the best value, as determined by the political subdivision.

This provision does not apply to constitutionally-established metropolitan sewer districts, special charter cities, charter counties, or charter cities that have adopted the construction manager at-risk method via ordinance, rule, or regulation. Moreover, there is a sunset of September 1, 2026 on this provision.

DESIGN-BUILD CONTRACTS (67.5060 & 227.107) – The act further creates new provisions of law relating to design-build contracts entered into between a political subdivision and a design-builder. A design-build contract

is one that is entered into for the purpose of furnishing architectural, engineering, and related design services and the labor, materials, supplies, equipment, and other construction services required for a design-build project. Specifically, the act sets forth the process to be followed in requesting proposals for design-build contracts. The political subdivision shall solicit proposals in a three-stage process: Phase I shall be the solicitation of qualifications of the design-build team; Phase II shall be the solicitation of a technical proposal including conceptual design for the project; and Phase III shall be the proposal of the construction cost. Non-civil works projects must be in excess of $7 million. Civil works projects do not have a price threshold.

In addition, this act authorizes any political subdivision to use a design-build contractor for waste water and water treatment projects and prohibits the Department of Economic Development from rejecting waste water or water treatment projects solely for using design-build when disbursing certain grants and loans.

These provisions do not apply to constitutionally-established metropolitan sewer districts, special charter cities, charter counties, or charter cities which have adopted the design-build method via ordinance, rule, or regulation. The provision has a sunset of September 1, 2026.

In addition, this act removes the July 1, 2018, expiration date on a provision authorizing the State Highways and Transportation Commission to enter into highway design-build project contracts.

SS HCS HB 2381 – Relating to mine property. (Signed 6/28/16)

ASSESSMENT OF MINING PROPERTY (137.115) – Under this act, any real property that is available for mining, and that has not been bonded or permitted for such mining activity shall be assessed based upon how the property is currently being used. Any information provided to a county assessor or other public entity which administers tax policies that is by law declared to be confidential, including individual taxpayer information and a specific taxpayer's mine property, shall not be disclosed.

SS HJR 53 – Relating to elections. (Truly Agreed To and Finally Passed 5/12/16)

PHOTO IDENTIFICATION – Upon voter approval, this constitutional amendment provides that any person seeking to vote in person may be required by general law to identify himself or herself as a United States citizen and a resident of the state by providing valid, government-issued photo identification. Exceptions may be provided for by general law.

Media Law

***HCS SCS SBs 588, 603 & 942 – Relating to petitions for the expungement of records.** (See Criminal Law)

SCS HB 1414 – Relating to agricultural data disclosure. (See Agriculture and Animal Law)

HCS HB 1562 – Relating to victims of crime offenses. (See Criminal Law)

SCS HB 1936 – Relating to law enforcement officers. (See Local Government Law)

Probate and Trust Law

SCS SB 591 – Relating to expert witnesses. (See Judicial Administration)

***SS HCS HB 1765 – Relating to civil proceedings.** (See Civil Procedure)

Property Law

***CCS HCS SCS SB 578 – Relating to judicial proceedings.** (See Commercial Law)

SCS SB 591 – Relating to expert witnesses. (See Judicial Administration)

***CCS HCS SB 833 – Relating to financial transactions.** (Signed 7/1/16)

CREDIT INSTRUMENTS--EXCURSION GAMBLING BOATS (313.800 and 313.817) - This act provides that any credit instrument executed on or after August 28, 2016 are valid contracts creating debt that is enforceable by legal process. Furthermore, the act modifies the definition of "qualified person" to mean a person who qualifies for a line of credit in an amount determined by the licensee based on the person's demand deposit accounts, including any checking or savings accounts. Credit instruments of $10,000 or less will only be accepted if the person's creditworthiness is at least twice the amount of the credit instrument or $10,000 whichever is less. Credit instruments of more than $10,0000 will only be accepted if the person's creditworthiness is equal or in excess of the amount of the credit instrument.

LAND/LEGAL DESCRIPTIONS BY LICENSED ATTORNEYS (327.272) - The act specifies that provisions of law regarding the practice of land surveying do

not preclude the practice of title insurance business or the practice of law.

EXCEPTED BENEFIT PLANS (376.998) - The act creates new provisions of law relating to excepted benefit plans. The act provides that excepted benefit plans are exempt from any health insurance mandate enacted on or after August 28, 2016, unless the enacting statute expressly includes excepted benefit plans in a mandate.

ESCROW SERVICES (381.022 and 381.058) - The act provides that a title insurer, title agency, or title agent may perform escrow or closing services in residential real estate transactions by giving notice to affected persons that their interests are not protected by the title insurer, agency, or agent in situations where the title insurance policy is not being issued by the title insurer, agency, or agent performing the escrow or closing services. In situations where title insurers, agencies, and agents are exclusively performing escrow, settlement, or closing services, it is unlawful for the entities to do so unless they clearly disclose to the sellers, buyers, and lenders involved in the escrows, settlements, or closings that no title insurer is providing any protection for closing or settlement funds.

SAVINGS PROMOTION PROGRAMS (408.800 TO 408.830) - Under these provisions, eligible financial institutions are permitted to offer and conduct savings promotion programs. A savings promotion program is a contest offered by an eligible financial institution that offers participants chances to win prizes if they make a minimum deposit into an eligible account.

CCS HCS SB 867 – Relating to political subdivisions. (See Taxation and Revenue) (**Vetoed** 6/23/16)

***SS HCS HB 1765 – Relating to civil proceedings.** (See Civil Procedure)

SS SCS HCS HB 1862 – Relating to landlords and tenants. (Signed 7/14/16)

This act provides that in unlawful detainer and forcible entry and detainer suits the judge shall not issue an execution of the judgment until ten days after the judgment, and if the losing party posts an appeal bond then the execution shall be stayed pending an appeal. Likewise, in rent and possession suits the judgment will become final ten days after the judgment is rendered, and the defendant will be subject to eviction. Execution for the purposes of restoring possession shall be stayed pending an appeal if the losing party posts a sufficient bond.

The provision of law specifying that if it appears to the officer executing the judgment that the defendant is hindering or delaying the seizure of property then rents, profits, damages, and costs may be seized before the expiration of the time allowed for taking an appeal is repealed.

The act also states that landlords must keep all security deposits in a trust account and in a depository institution insured by an agency of the federal government, and shall not commingle the security deposits with personal funds. Any interest earned on a security deposit belongs to the landlord. These requirements shall not apply to public housing authorities or government entities acting as landlords.

The act states that the current law regarding security deposits does not prevent a landlord and tenant from agreeing in the rental agreement upon amounts to be charged for carpet cleaning due to normal wear and tear, and such amounts can be withheld from the security deposit. This act provides that a tenant shall recover as damages twice the amount wrongfully withheld by the landlord.

SS HCS HB 2381 – Relating to mine property. (See Local Government Law)

HCS HCR 58 – Disapproval of Missouri State Tax Commission recommendations regarding value for agricultural and horticultural land. (See Agriculture and Animal Law)

State Government and Election Law

CCS HCS SS SB 786 – Relating to elections. (Signed 7/7/16)

ELECTION CHALLENGERS AND WATCHERS (115.105 AND 115.107) – This act permits challengers to be present at a polling place until all ballots are cast on the day of election. The act further permits watchers to remain present at a polling place, or place at which absentee ballots are counted, until all closing certification forms are completed, all equipment is closed and taken down, the transportation case for the ballots is sealed, and election materials are returned to the election authority or to the designated collection place for a polling place.

TAX AFFIDAVIT--POLITICAL PARTY COMMITTEE CANDIDATES (115.306) – Under current law, all candidates for public office are required to file a tax affidavit with the Department of Revenue as well as a copy with the declaration of candidacy submitted to the Secretary of State. Under this act, candidates for a county or city committee are exempt from this requirement.

CANDIDATE FILING DEADLINES (115.361) – Under current law, when a candidate files a statement of withdrawal within two working days prior to the deadline for

the close of filing, the time of filing for the relevant office is extended until 5:00 p.m. of the first Friday following the close of deadline that is established under law. This act changes that so that when a candidate files a statement of withdrawal within two working days prior to the deadline, filing shall reopen on the first Tuesday following the established deadline and last until 5:00 p.m. on the next Friday.

POLITICAL PARTY COMMITTEES (115.603-115.621) – The St. Louis City political party committee shall be designated as a city committee and not a county committee.

Under current law, if a member of a county committee of a political party ever becomes disabled, that member's seat becomes vacant. This act removes that provision.

The membership of legislative district committees is changed so that each committee is made up of the precinct, ward, or township committeemen and committeewomen from each precinct, ward, or township included in whole or in part of a legislative district.

The act also changes the membership of congressional, senatorial, or judicial district committees.

The act permits a political party to provide for proxy voting in any district committee. In the event that such provisions are not made, proxy voting is only allowed for legislative, congressional, senatorial, and judicial district committees. Persons who serve as a proxy voter must be legally permitted to vote in the district of the committee for which they intend to serve as a proxy voter.

The act changes the meeting times for district committees as follows:

1. County and city committees shall meet at some time between the second Tuesday and the third Saturday after each primary election, to be determined by the chair of such committee;

2. Legislative district committees shall meet at some time between the third Tuesday and the fourth Saturday after each primary election, to be determined by the chair of such committee;

3. Senatorial district committees shall meet at some time between the fourth Tuesday and the fifth Saturday after each primary election, to be determined by the chair of such committee;

4. Congressional district committees shall meet at some time between the fifth Tuesday and the sixth Saturday after each primary election, to be determined by the chair of such committee; and

5. Judicial district committees shall meet at some time between the sixth Tuesday and the seventh Saturday after each primary election, to be determined by the chair of such committee.

Any legislative, senatorial, or judicial district committee that is wholly contained within a county or a city not within a county is permitted to meet at the same date as the respective city or county committee.

These provisions have an emergency clause.

INVESTIGATION AND PROSECUTION OF ELECTION OFFENSES (115.642) – This act permits any person to file a complaint alleging an election offense with the Secretary of State and grants the Secretary the authority to investigate such claims. Within 30 days of receiving a complaint, the Secretary of State shall notify the complainant whether the complaint has been dismissed or if the Secretary will commence an investigation. In the event that the Secretary finds reasonable grounds that an election offense has been committed, the Secretary may issue a probable cause statement. If the Secretary issues a probable cause statement, he or she may refer the offense to the appropriate prosecuting attorney.

The act further permits the Secretary of State to assist any prosecuting attorney or circuit attorney in the prosecution of election offenses to the Secretary of State, when requested to do so by a prosecuting attorney or circuit attorney.

ELECTRONIC VOTER REGISTRATION (115.960) – The act modifies the provisions relating to voter registration. Specifically, the act permits election authorities to accept voter registration applications with a signature submitted in accordance with the Uniform Electronic Transmissions Act. Further, the Secretary of State is required to maintain a system used to accept voter registration applications electronically subsequent to approval from a committee assembled for the purpose of approving and developing uniform standards, systems, and modifications to such a system. The committee shall be composed of 14 members appointed by the President of the Missouri Association of County Clerks. The committee shall further make recommendations regarding the purchase, maintenance, integration, and operation of electronic databases, software, and hardware used by election authorities and the Secretary of State's office. Such committee shall meet within 30 days of January 1, 2017.

The act delineates the persons who may register under the system maintained by the Secretary of State. It also sets forth additional restrictions and requirements for making such electronic transmissions.

ELECTRONIC FILING WITH THE MEC (130.026 and 130.057) – This act modifies provisions relating to the appropriate filing officers for the filing of reports under campaign finance laws. Currently, the appropriate filing officers are the Missouri Ethics Commission and the local election authority of the district of the candidate for all committees and for candidates for the following offices:

- state senator;
- state representative;
- county clerk;
- associate circuit court judges;
- circuit court judges;
- elective municipal offices in municipalities of more than 100,000 people; and
- county elective offices in counties of more than 100,000 people.

This act changes that so that the appropriate officer is only the Ethics Commission.

Current law permits candidates and certain committees to file certain financial disclosure reports in either electronic or paper format. This act requires electronic filing for such filings, as prescribed by the Ethics Commission.

Furthermore, current law requires continuing committees which make contributions totaling more than $15,000 in an applicable calendar year to file disclosure reports in an electronic format. All other continuing committees are given the option to file reports in electronic or paper format. This act repeals those requirements and instead requires all committees to file electronically.

The act further repeals obsolete language relating to the establishment of an electronic reporting system by the Ethics Commission.

SCS HCS HB 1474 – Relating to the requirement of filing certain disclosure reports in an electronic format with the Missouri Ethics Commission. (**Vetoed** 7/7/16)

ELECTRONIC FILNG WITH MISSOURI ETHICS COMMISSION (130.026 and 130.057) (See State Government and Election Law, CCS HCS SS SB 786)

This act would take effect on August 28, 2016.

SS HCS HB 1477 – Relating to political parties. (Signed 7/7/16)

TAX AFFIDAVIT-POLITICAL PARTY COMMITTEE CANDIDATES (115.306) (See State Government and Election Law, CCS HCS SS SB 786)

POLITICAL PARTY COMMITTEES (115-603-115.621) (See State Government and Election Law, CCS HCS SS SB 786)

HCS HB 1480 – Relating to absentee ballots. (Signed 7/7/16)

PROCESSING ABSENTEE BALLOTS (115.257, 115.291, 115.293, and 115.299) – This act permits election authorities to use voting machines for the purpose of processing absentee ballots. The act additionally sets forth requirements for the operation of the voting machines. This act becomes effective January 1, 2018.

SS #2 SCS HB 1631 – Relating to elections. (**Vetoed** 7/7/16)

GENERAL REQUIREMENTS (115.427.1) – Voters shall produce one of the following forms of identification prior to receiving a ballot:

- A nonexpired Missouri driver's license;
- A nonexpired or nonexpiring Missouri nondriver's license;
- Any identification containing a photograph issued by the Missouri National Guard, the United States armed forces, or the United States Department of Veterans Affairs; or
- A document issued by the United States or the state of Missouri containing the name of the voter which substantially conforms to the most recent signature in the individual's voter registration records, a photograph, and an expiration date or if expired, the expiration is after the date of the most recent general election.

EXCEPTION AND PROVISIONAL BALLOTS (115.427.2-115.427.4) – Individuals who do not possess a form of personal identification approved for voting have two options to cast a ballot. Those appearing without a form of personal identification approved for voting shall be allowed to cast a regular ballot, provided they execute an statement, under the penalty of perjury, which establishes that the individual:

1) does not possess a form of personal identification approved for voting;

2) acknowledges that he or she is eligible to receive a free Missouri non-driver's license; and

3) acknowledges that an approved form of personal identification is required in order to vote.

Such statement shall be executed and sworn before the election official receiving the statement. Upon executing such statement, the individual shall be permitted to cast a regular ballot, provided such person presents one of the following forms of identification:

- Any ID issued by the State of Missouri, or an agency thereof;
- Any ID issued by the United States government or an agency thereof;
- Any ID issued by a college or university;
- A copy of a current utility bill, bank statement, paycheck, or other government document that contains the name and address of the individual; or
- Any other form of ID approved by the Secretary of State under rules promulgated under this act.

Any person who does not present a form of personal identification approved for voting and does not execute a statement may nevertheless cast a provisional ballot. Such ballot shall not be counted unless:

- Either the voter returns to the polling place during the polling hours with an approved form of personal identification, or the signature of the voter is verified with the signature on file with the election authority; and
- The provisional ballot otherwise qualifies to be counted under current law.

NOTICE REQUIREMENTS (115.427.5) – The Secretary of State shall provide advance notice of the identification requirements to be included in the election authority's elections notices on the official website of the Secretary of State.

FREE ID's AND SOURCE DOCUMENTS (115.427.6) – The state and all fee offices shall provide at least one non-driver's license no cost to the voter, if desired in order to vote.

The state and all agencies of the state shall also provide one copy of each of the following, if needed, free of charge to any person seeking identification in order to vote:

- A birth certificate;
- A marriage license or certificate;
- A divorce decree;
- A certificate of decree of adoption;
- A court order changing the person's name;
- A social security card reflecting an updated name; and
- Naturalization papers or other documents from the United States Department of State proving citizenship.

Any person seeking such a document may request the Secretary of State to facilitate the acquisition of such documents. The Secretary of State is thereby required to pay the costs of such documents.

In the event that there is not a sufficient appropriation of state funds to implement the provisions of this act, then the personal identification requirements of the act shall not be enforced.

CONTINGENCY CLAUSE (Section B) – This act is contingent on the passage of a constitutional amendment establishing voter photo identification for elections. If the amendment is approved by the voters, the provisions of this act will become effective June 1, 2017.

CCS SS SCS HB 1979 – Relating solely to certain public officials becoming lobbyists. (Signed 5/6/16)

SOLICITATION OF LOBBYISTS (105.456) – Under this act, no member of the General Assembly or any statewide elected official shall solicit any registered lobbyist for any position with a hiring date beginning after such person is no longer an elected official, whether compensated or not, while such person holds office.

SOLICITATION OF LEGISLATORS (105.456) – The act also provides that all individuals and business entities are prohibited from soliciting a member of the General Assembly to become a legislative lobbyist while such a member is currently holding office. Furthermore, members of the General Assembly are prohibited from soliciting clients to represent as a legislative lobbyist.

COOLING OFF PERIOD (105.455) – The act specifies that any person elected or appointed to the office of State Senator, State Representative, or any statewide office who later vacates his or her office may not act, serve, or register as a lobbyist until 6 months after the expiration of the term of office for which the person was elected. This limitation also applies to persons holding an office that requires an appointment by the Governor and confirmation by the Senate. Moreover, the limitation is only applied to lobbyists who are employed by a lobbyist principal for pay or other compensation. These provisions do not apply to lobbyists who act, serve, or register as a lobbyist for a state department or agency.

Pursuant to Section 105.478, any knowing violation of the provisions of this act is punishable as a Class B misdemeanor for a first violation, and a Class D felony for all subsequent violations.

CCS SS SCS HB 1983 – Relating to prohibiting elected officials from acting as paid political consultants. (Signed 4/14/16)

PAID POLITICAL CONSULTING (105.450 and 105.453) – This act prohibits members of the General Assembly and all statewide elected officials from accepting or receiving compensation of any kind as a paid political consultant for:

1) A candidate for a statewide office, state senator, or state representative;

2) The candidate committee of a candidate, statewide officeholder, or member of the General Assembly;

3) The Governor, Lt. Governor, Attorney General, Secretary of State, State Treasurer, State Auditor, or any member of the General Assembly;

4) Any continuing committee; or

5) Any campaign committee.

Pursuant to Section 105.478, any knowing violation of the provisions of this act is punishable as a Class B misdemeanor for a first violation, and a Class D felony for all subsequent violations.

CCS #2 SS SCS HB 2203 – Relating to campaign finance. (Signed 5/6/16)

DISSOLUTION OF CANDIDATE COMMITTEES (105.465) – This act provides that any person who registers as a lobbyist shall dissolve his or her candidate committee. In the course of dissolving any such committee, such officials are only permitted to transfer money from any such committee for the purpose of:

1) Returning contributions to donors;

2) Donating money to a charitable organization; or

3) Transferring money to a political party committee.

Pursuant to Section 105.478, any knowing violation of this provision is punishable as a class B misdemeanor for a first violation, and a class D felony for all subsequent violations.

INVESTMENT OF CAMPAIGN FUNDS (130.021 AND 130.034) – The act requires funds held in any candidate committee, campaign committee, debt service committee, or exploratory committee to be liquid so that the funds may be readily available for the specific and limited purposes allowed by current law. Committee funds may only be invested in short term treasury instruments or short term bank certificates of one year or less. Such funds are not required to be placed in an interest-bearing account.

Pursuant to Section 130.081, any purposeful violation of this provision is punishable as a Class A misdemeanor.

LIMITATIONS ON TRANSFERS OF COMMITTEE FUNDS (130.097) –The act further prohibits any person who has transferred funds from:

- his or her candidate committee; or
- any committee over which he or she exerts control over the expenditures of such committee to any committee shall not thereafter be compensated by such committee in any form.

Finally, the act provides that no person who registers as a lobbyist shall transfer any funds from a candidate committee, exploratory committee, debt service committee, or continuing committee under his or her control to any such committee controlled by a candidate or public official.

Pursuant to Section 130.081, any purposeful violation of these provisions is punishable as a Class A misdemeanor.

This act contains a severability clause.

SS HJR 53 – Relating to elections. (Truly Agreed To and Finally Passed 5/12/16)

PHOTO IDENTIFICATION – Upon voter approval, this constitutional amendment provides that any person seeking to vote in person may be required by general law to identify himself or herself as a United States citizen and a resident of the state by providing valid, government-issued photo identification. Exceptions may be provided for by general law.

Taxation and Revenue

SB 641 – See Agriculture and Animal Law

HCS SB 665 – Relating to agriculture. (See Agriculture and Animal Law)

SCS SB 794 – Relating to a sales tax exemption on parts and accessories for medical equipment. (See Health and Hospital Law)

HCS SCS SB 814 – Relating to income tax deductions for active duty military personnel. (See Veterans and Military Law)

CCS HCS SCS SB 823 – Relating to taxation. (Signed 6/28/16)

INTERNET SALES TAX EXEMPTION (144.030) – This act creates a state and local sales tax exemption for internet access or the use of internet access regardless of whether the tax is imposed on a provider or buyer of internet access.

TAXATION OF BED AND BREAKFAST INNS (137.016) – This act provides that property operated as a bed and breakfast with 6 or fewer rooms is classified as "residential property" for tax purposes so long as the owner also resides there.

PRODUCTION EXEMPTIONS (144.026) – This act provides that the Department of Revenue shall not notify taxpayers before August 28, 2017 regarding the recent Missouri Supreme Court decision in IBM Corporation v. Director of Revenue holding that tax exemptions for production/manufacturing do not apply to production of intangible products like computer data. Under current law, such notification is required before a modification of tax law is implemented by the Department of Revenue.

BONDING REQUIREMENTS FOR SALES LICENSES (144.087) – Currently, applicants for retail sales licenses and certain licensees are required to file bonds in an amount up to 3 times the average monthly tax liability of the taxpayer as determined by the Director of Revenue. After 2 years of satisfactory tax compliance, the taxpayer is released from this bonding requirement. This act lowers the cap to 2 times the average monthly tax liability of the taxpayer and releases taxpayers after 1 year of satisfactory tax compliance.

CCS HCS SCS SB 861 – Relating to tax incentives. (Signed 7/1/16)

ADVANCED INDUSTRIAL MANUFACTURING ZONES (68.075) – This act creates the Advanced Industrial Manufacturing Zones Act. Port authorities located in Missouri are authorized to establish an advanced industrial manufacturing ("AIM") zone, which is an area that is being developed or redeveloped for any purpose so long as any infrastructure and building built or improved is in the development area.

The act creates the Port Authority AIM Zone Fund consisting of 50% of the state withholding tax from new jobs within the zone after development or redevelopment has begun.

No new AIM zones may be established after August 28, 2023. Existing AIM zones shall expire when any obligations being funded by the AIM zone are retired.

BRING JOBS HOME ACT (143.1100) – This act authorizes an income tax deduction equal to 50% of the expenses associated with eliminating a business unit located outside Missouri and reestablishing that unit within the state. The elimination must occur under a written insourcing plan, but the elimination and relocation need not take place in the same year.

For the tax deduction to apply, the number of full-time employees in the state during the year the deduction is claimed must exceed the number during the year before the insourcing costs were paid. Insourcing costs are taken into account during the tax year where the plan is completed and the expenses were incurred, or the year immediately following that year.

Tax deductions under this section are capped at $5 million and are allowed on a first come, first served basis. Deductions may be carried forward for five years. A taxpayer must repay the deduction if the taxpayer eliminates the business unit for which the deduction was provided. The provisions in this section shall expire six years after enacted unless reauthorized by the General Assembly.

TRANSPORTATION FACILITIES TAX INCENTIVE (143.2100-143.2115) – This act creates three types of income tax deductions for entities transporting cargo through water port facilities and airports in Missouri. The deductions will be administered by the Department of Economic Development.

PUBLIC-PRIVATE PARTNERSHIP TRANSPORTATION ACT (227.600) – This act adds any port facility, water facility, water way, fuel supply facility or pipeline, water supply facility or pipeline, wastewater or wastewater treatment facility, public building, vehicle parking building, vehicle parking facility, mass transit facility, or similar facility to the definition of "project" under the Missouri Public-Private Partnerships Transportation Act.

For purposes of this section, "project" will not include a highway, interstate or bridge construction, or any rest area, rest stop, or truck parking connected to a highway. The Missouri Highways and Transportation Commission or its private partner has no authority to collect user fees in connection with a project under this section.

REDEVELOPMENT OF FORMER AUTOMOBILE MANUFACTURING PLANTS (447.708) – This act provides that all demolition costs in St. Louis County associated with a former automobile manufacturing plant are an allowable cost for tax credits so long as the redevelopment will create at least 250 new jobs or retain at least 300 jobs.

CCS HCS SB 867 – Relating to political subdivisions. (**Vetoed** 6/23/16)

ST. LOUIS COUNTY SALES TAX DISTRIBUTION (66.620) (See Taxation and Revenue, SS SCS HCS HB 1561)

NUISANCE ABATEMENT ORDINANCES (67.402) – This act allows St. Francois County and Taney County to enact nuisance abatement ordinances.

TIF and SHELTERED WORKSHOPS (99.845) – Under current law, county boards, upon voter approval, may levy a property tax for the purpose of establishing and maintaining county sheltered workshops, residences, facilities, or other related services. This act would prohibit the adoption of any tax increment financing from superseding, altering, or reducing the sheltered workshop levy.

LICENSE OFFICE FEES (136.055) – This act allows license offices to charge a $2 fee for each electronic look-up and a $2 notary fee.

TAXATION OF BED AND BREAKFAST INNS (137.016) (See Taxation and Revenue, CCS HCS SCS SB 823)

PROPERTY TAXATION OF RAILS-TO-TRAILS (137.100) – Under current law, as an alternative to abandoning a railroad easement, an out-of-service rail corridor may be used as a trail until the railroad needs the corridor for rail service. Under this act, any portion of a landowner's parcel of land on which a trail is operated in this manner is exempt from property taxation.

ASSESSMENT ON MINING PROPERTY (137.115) (See Local Government Law, SS HCS HB 2381)

CONSOLIDATION OF ROAD DISTRICTS (137.565, 233.180, & 233.295) – Currently, ten or more voters residing in any general or special road district must petition the county commission to have a question submitted to the voters of the district. This act allows for any combination of ten or more voters residing in or owners of land in any special road district to petition the county. This act also changes the qualification to serve as a commissioner on a special road district by also allowing any registered voter in the county in which the district is located who is also a land owner in the district to serve as a commissioner.

This act also allows a county commission or similar authority to combine two or more road districts upon request by a petition signed by a majority of the commissioners in each of the road districts seeking to be combined. The county commission shall hold a public hearing after publishing notice for a period of four weeks in a newspaper of general circulation in the county. The county may issue an order to consolidate the districts if it finds, after the public hearing, that the consolidation is in the public good. The act further designates the procedure for appointing commissioners to the new consolidated district and transferring of assets, liabilities, and tax levies. The provisions for consolidation do not apply to road districts located in two counties.

TAX DEDUCTIONS FOR VOLUNTEER FIREFIGHTERS (143.112) – Under this act, beginning on January 1, 2017, a taxpayer may deduct $500 from the taxpayer's federal adjusted gross income to determine the taxpayer's Missouri adjusted gross income for any year in which the taxpayer completed 12 hours of an approved firefighter training program. Alternatively, if a firefighter completes at least 36 hours of training by completing the basic fire fighter program or completing the division's fire fighter I or fire fighter II program, the firefighter may claim a $1,000 deduction.

CEDAR COUNTY LIBRARY SALES TAX (182.802) (See Taxation and Revenue, SS SCS HCS HB 1561)

MUSEUM DISTRICT PETITION (184.815) – A petition to create a museum district may be filed no more than 5 years after the president declares the area a disaster area as defined in statute. This act would allow a petition to be filed up to 10 years after such declaration.

STODDARD COUNTY EMERGENCY TELEPHONE SERVICE BOARD (190.335) (See Local Government Law, CCS HCS SS SB 732)

REGIONAL JAIL DISTRICTS (221.407) (See Local Government Law, CCS HCS SB 765)

JUDGE VINCENT E. BAKER MEMORIAL HIGHWAY (227.432)

PHYLLIS D. SHELLEY MEMORIAL HIGHWAY (227.446)

COMMERCIAL ZONES (304.190) – The act extends a commercial zone to include the cities of Lone Jack and Strasburg.

ALCOHOL AT ST. LOUIS AIRPORT (311.179) – Current law allows for the sale of intoxicating liquor by the drink at retail and the St. Louis International Airport by licensed establishments. Under this act, people may leave the licensed establishments with an alcoholic beverage and enter other airport designated areas, but the person may not take the beverage on an airplane. In addition, this act requires the licensed establishment to serve alcoholic beverages in containers that display the licensee's trade name or logo.

KANSAS CITY PROPERTY MANAGERS (347.048) – Currently, limited liability companies leasing real property to others or owning unoccupied real property in Kansas City must file an affidavit with the city clerk listing the manager of the property. This act requires the affidavit to name a natural person with control of the property and his or her street address.

If the person who manages the property changes, the LLC must file a new affidavit listing a successor manager within 30 days. No LLC may be charged a fee for filing a required affidavit. If an LLC required to file an affidavit fails to file an affidavit, any person adversely affected or the city may petition the court to direct the filing of an affidavit.

SB 1002 – Relating to community improvement districts. (See Local Government Law)

SB 1025 – Relating to the taxation of instructional classes. (**Vetoed** 6/28/16)

INSTRUCTIONAL CLASSES SALES TAX EXEMPTION (144.010, 144.018, and 144.020) – Under current law, the definition of "sale at retail" for purposes of sales tax law includes charges and fees to or in places of recreation. This act provides that the definition does not include amounts paid for instructional classes.

In addition, current law imposes a four percent tax on the amounts paid to or in places of recreation. This act excludes amounts paid for instructional classes.

HCS HB 1418 – Relating to transportation development districts. (See Local Government Law)

SCS HCS HBs 1434 & 1600 – Relating to tax increment financing. (Signed 6/29/16)

TAX INCREMENT FINANCING (99.805, 99.820, 99.845, and 99.865) – For tax increment financing (TIF) projects approved over a recommendation in opposition by the TIF commission in St. Charles, Jefferson, and St. Louis Counties, the economic activity taxes and payments in lieu of taxes cannot exceed the redevelopment project costs for demolition of buildings and the clearing and grading of land.

This act also specifies that approval by a TIF Commission in St. Charles, Jefferson, and St. Louis Counties requires a majority of the commissioners voting to vote for approval. A tied vote will be considered a recommendation of opposition. TIF commissions must retain certain records and make these records available to the public.

This act requires municipalities to submit a report on the status of any redevelopment projects or plans to the Department of Revenue, rather than the Department of Economic Development, each year by November 15th. The Department of Revenue will provide notice if a municipality fails to report as required or if information in the report needs to be corrected. If a municipality fails to submit or correct a report it shall be prohibited from adopting any new tax increment financing for the next 5 years.

Under current law, county boards, upon voter approval, may levy a property tax for the purpose of establishing and maintaining county sheltered workshops, residences, facilities, and/or other related services. This act would prohibit the adoption of any tax increment financing from superseding, altering, or reducing the sheltered workshop levy.

SS HB 1435 – Relating to sales tax refunds. (Signed 6/28/16)

REFUND FOR OVERPAYMENT (144.190) – Current law provides that if a party has already received a refund of taxes they were legally obligated to remit, no additional refund shall issue on a claim for the same issue after the date of the original refund check

This act would allow a refund where the claim is filed by a purchaser, the claim is for use tax remitted by the purchaser, or an additional refund claim is filed by a person obligated to remit the tax due to an exemption certificate, a court decision, or changes in regulation or policy by the Department of Revenue.

SS SCS HCS HB 1561 – Relating to local sales taxes (Signed 7/1/16)

ST. LOUIS COUNTY SALES TAX DISTRIBUTION (66.620) – Currently, the revenues from a 1% sales tax in St. Louis County are distributed to unincorporated areas of the county as well as municipalities based on a formula. What are commonly called "Group B" entities pool their revenue from the tax. After a diversion to account for incorporation of previously unincorporated areas, revenues are generally split amongst the municipalities and unincorporated areas of the county in Group B by population, regardless of where the tax was collected.

This act requires that beginning January 1, 2017, municipalities and the unincorporated areas of the county in Group B receive at least 50% of the tax revenue generated in such municipality or unincorporated area of the county. However, such new formula shall not apply in any year where the total amount of sales taxes collected in the county is less than the amount collected in calendar year 2014 and any adjustment to provide a Group B entity with 50% of the tax revenue generated in that area shall not result in another Group B entity receiving less revenue than it received in 2014.

CEDAR COUNTY LIBRARY SALES TAX (182.802) – This act authorizes Cedar County to impose a local sales tax, if approved by voters, for the purpose of funding public libraries.

SCS HB 1582 – Relating to withholding tax returns. (Signed 6/28/16)

FILING REQUIREMENTS (143.221) – Currently, an employer is allowed to file an annual withholding tax return instead of four quarterly returns when the aggregate amount withheld is less than $20 in each of the four preceding quarters. The act changes the amount to less than $100 in each of the four preceding quarters if the employer is not otherwise required to file a withholding return on a monthly basis.

ELECTRONIC FILING OF FORM W-2s (143.591) – Beginning January 1, 2018, this act requires employers with at least 250 employees to file their Form W-2s electronically to the state unless granted a waiver for the federal requirement to file electronically by the Internal Revenue Service.

HB 1870 – Relating to the collection of money by public entities. (See Local Government Law)

SS SCS HCS HB 1941 – Relating to fantasy sports contests. (Signed 6/10/16)

FANTASY SPORTS CONTESTS (313.900 to 313.1020) – This act is known as the "Missouri Fantasy Sports Consumer Protection Act". Fantasy sports contests are defined in the act as contests where the value of prizes is made known in advance, winning outcomes reflect relative knowledge of the players and based on accumulated statistical results, not based on the performance of a single team, combination of teams, or athlete in a single event. In addition to authorized websites, this act authorizes fantasy sports contests on, or adjacent to, excursion gambling boats for those over 21.

The Missouri Gaming Commission will provide licensing for websites offering fantasy sports contests in Missouri. The licensed entity must ensure that winning outcomes are determined by accumulated statistical results of fully completed contests and may not allow a player to "autodraft" without input by the player or choose a pre-selected team. Licensed operators shall not offer prizes or awards to athletes and shall not offer contests based on performance of collegiate, high school, or youth athletes.

Licensed operators are subject to various operating requirements.

Licensed operators may not issue credit to players. Persons associated with licensed operations may not disclose proprietary or nonpublic information to individuals who are eligible to participate in fantasy sports games.

Fantasy sports contest operators are required to apply for a license annually. The annual license fee is the lower of $10,000 or 10% of the applicant's net revenue from the previous calendar year. Licensed operators must pay an annual operation fee equal to 11.5% of the operator's net revenue from the previous calendar year. For purposes of the act, net revenue is based on the total amount of entry fees collected, less prizes paid out, and multiplied by a percentage based on entry fees collected in Missouri in relation to total entry fees collected.

The commission may conduct an investigation of those employed by or associated with operating fantasy sports contests at the operator's expense. Licensed operators must also conduct an annual independent audit to ensure compliance with this act at their expense.

Documents and information provided to the commission are closed records, but certain information must be disclosed to the public based on a written request. The commission shall oversee all licensed operators and has certain investigatory, licensing, and rule-making powers under this act.

SCS HCS HB 2030 – Relating to tax deductions for employee stock ownership plans. (See Business Law)

SCS HCS HB 2140 – Relating to local sales tax on motor vehicles. (Signed 5/4/16)

LOCAL SALES TAX ON TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS (32.087) – Under current law, local taxing jurisdictions have until November 2016 to place the issue of whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, and outboard motors that are subject to state sales tax and purchased from a source other than a licensed dealer on the ballot. Under this act, taxing jurisdictions where these taxes were repealed or jurisdictions that failed to put the issue on the ballot before November 2016 may place the issue on any subsequent ballot before 2018 with language outlined in the act.

TASK FORCE (32.088) – This act also creates the "Missouri Task Force on Fair, Nondiscriminatory Local Taxation Concerning Motor Vehicles, Trailers, Boats, and Outboard Motors." Membership for this task force is outlined in the act. The task force shall attempt to address the disparity in taxation after Street v. Director of Revenue, 361 S.W.3d 355 (Mo. 2012) (en banc), the need for local jurisdictions to receive revenue to provide services required by SB 23 (2013), and the need to not competitively disadvantage Missouri dealers. The task force shall review evidence regarding methods to address the goals of the task force and develop legislation that will not discriminate against Missouri dealers. The task force will submit a report on its findings (including any dissenting opinions) to the Governor and General Assembly by December 31, 2017. The task force shall expire after submission of this report or on January 1, 2018, whichever is earlier.

SS HCS HB 2381 – Relating to mine property. (See Local Government Law)

HCS HCR 58 – Disapproval of Missouri State Tax Commission recommendations regarding value for agricultural and horticultural land. (See Agriculture and Animal Law)

Tort and Transporation Law

CCS #2 HCS SS SCS SB 572 – Relating to local government. (See Local Government Law)

HCS SS SCS SB 657 – Relating to motor vehicles. (Signed 6/24/16)

IGNITION INTERLOCK DEVICES (302.440 & 302.441) – This act allows any person who is required to have an ignition interlock device installed on such person's vehicle due to committing certain intoxication-related traffic offenses to apply to the court for a variance to drive an employer-owned vehicle without such device. Such exemption shall not apply in certain situations, and such person shall not drive such employer-owned vehicle with certain passengers or for personal use.

PETROLEUM STORAGE TANK INSURANCE FUND (319.114 and 414.036) – Under this act, an owner or operator shall not be denied benefits by the Petroleum Storage Tank Insurance Fund if their claim arises from a release of motor fuel or a regulated petroleum substance that is incompatible with the motor fuel underground or aboveground storage tank system, except in cases of fraud on the application for coverage.

PER BARREL MOTOR FUEL INSPECTION FEE (414.082) (See Agriculture and Animal Law, HCS SB 665)

MOTOR FUEL LIABILITY (414.255) – Under this act, no refiner, supplier, terminal, wholesaler, distributor, retailer, or other vendor of motor fuel that is blended with ethanol or renewable fuel that complies with motor fuel quality and labeling laws shall be liable for property damages related to a customer's purchase of such motor fuel so long as the selection of motor fuel was made by the customer and not the vendor. No motor fuel that is blended with ethanol shall be considered a defective product for purposes of property damage claims.

Under this act, motor vehicle and internal combustion engine manufacturers and dealers shall not be liable for property damages related to a customer's purchase of motor fuel blended with renewable fuels if the selection and purchase of the motor fuel was made by the customer and does not comply with specific fuel recommendations found in the vehicle or product owner manual.

SB 844 – Relating to livestock trespass. (See Agriculture and Animal Law)

SS #2 SB 847 – Relating to evidence for the cost of medical care and treatment. (See Civil Procedure)

SB 947 – Relating to transportation network company insurance. (See Insurance Law)

HCS HB 1418 – Relating to transportation development districts. (See Local Government Law)

HB 1568 – Relating to dispensing opioid antagonist drugs. (See Health and Hospital Law)

SCS HCS HB 1649 – Relating to immunity from civil liability for removing a minor from a locked vehicle. (Signed 7/1/16)

EXCEPTION TO CIVIL LIABILITY FOR FORCIBLE ENTRY (537.555) – This act provides that a person who removes an unattended child from a locked car shall not be held liable for damages resulting from the removal. In order to qualify for immunity the person must first determine that the car is locked and there is no other reasonable method to remove the child, have a good faith belief that the child is in imminent danger of suffering harm, contact emergency response personnel, wait with the child until emergency response personnel arrives to the scene, and only use the amount of force necessary to forcibly enter the car and remove the child. This act contains an emergency clause.

SS HB 1733 – Relating to the regulation of vehicles. (**Vetoed** 7/8/16)

PERMANENT TRAILER REGISTRATION (301.067) (See Tort and Transportation Law, SS SCS HCS HB 2380)

EMERGENCY VEHICLES (304.022) – This act amends the definition of "emergency vehicle" as it relates to traffic regulations to include any vehicle owned and operated by the civil support team of the Missouri National Guard while in response to or during operations involving specified substances, in support of official requests from the state involving unknown substances or hazardous materials, or as may be requested by the appropriate state agency acting on behalf of the Governor.

SCHOOL BUS DRIVER ENDORSEMENTS (302.276) – Currently, school bus driver endorsements shall not be issued or renewed for applicants whose driving record shows that such applicant's privilege to operate a motor vehicle

has been suspended, revoked or disqualified or whose driving record shows a history of moving vehicle violations, to the best of the Director of the Department of Revenue's knowledge. This act requires that any school bus driver endorsement holder have such endorsement immediately revoked upon a second suspension or revocation of their license or driving privilege and shall remain ineligible for any future school bus endorsement.

AUTOCYCLES (304.005) – This act defines an autocycle as a three wheeled motor vehicle on which drivers and passengers ride in a completely enclosed, tandem seating area that is controlled with a steering wheel and pedals and contains additional safety and equipment requirements. Autocycle operators are exempted from the motorcycle helmet requirement with specific safety equipment requirements. This act also requires autocycle operators to have a driver's license without requiring a motorcycle or motortricycle license or endorsement.

BUS LENGTH (304.170) – Currently, no bus may exceed 45 feet in length except with safety bumpers. This act allows articulated buses, or buses having two or more sections connected by a joint, to be up to 60 feet in length not including safety bumpers which may extend 1 foot in both the front and rear.

CRIME OF LEAVING THE SCENE OF AN ACCIDENT (577.060) – Currently, leaving the scene of an accident is a Class D felony if physical injury was caused to another party. Beginning in 2017, when the revisions to the Criminal Code take effect, the penalty is a Class E felony. Under this act, it is a Class C felony if the accident resulted in death, and, beginning in 2017, it will be a Class D felony if the accident resulted in death.

***SS HCS HB 1765 – Relating to civil proceedings.** (See Civil Procedure)

SS SCS HCS HB 1862 – Relating to landlords and tenants. (See Property Law)

SCS HCS HB 1976 – Relating to motor vehicle services. (**Vetoed** 7/10/16)

AUTOCYCLES (304.005) (See Tort and Transportation Law, SS HB 1733)

TOWING COMPANIES (304.153-304.154) - This act authorizes a towing company to perform services for a patrol officer or law enforcement officer within the officer's jurisdiction, or a Missouri Department of Transportation employee, provided that the Missouri State Highway Patrol shall not be obligated to retain the company in any contract. Any motor vehicle owner's request for a specific towing company shall be honored by the Missouri State Highway Patrol unless certain circumstances exist as set forth in this act. This act further specifies that a patrol officer shall not use a towing company located outside of Missouri except under certain circumstances. Under this act, a towing company shall not tow a vehicle to a location outside of Missouri without the consent of the owner or driver, or the owner or driver's motor club.

Under this act, any towing company arriving at the scene of an accident that has not been called shall be prohibited from towing the vehicle unless the towing company is rendering emergency aid or operating during a declared state of emergency. Further, any tow truck operator that tows a vehicle from an accident that has not been called shall be guilty of a Class D misdemeanor for the first violation, a Class A misdemeanor for the second violation, and a Class D Felony for the third and any subsequent violation.

Under this act, a towing company shall take certain actions in order to operate under certain provisions of law as set forth in this act. Any initial tow performed under certain provisions of law shall remain in the state of Missouri unless authorized by the vehicle owner or owner's motor club. Counties may adopt ordinances with respect to towing company standards under this act. Further, storage lot facilities and towing companies shall allow insurance adjusters access to motor vehicle inspection without charge unless such vehicle is being preserved as evidence. When a motor vehicle has been transferred to a towing company storage lot, the vehicle shall not be transferred from the lot without providing the motor vehicle owner 24 hour advance notice. These provisions shall not apply to third and fourth class counties.

EXTENDED SERVICE CONTRACTS (385.200-385.306) – This act modifies the definition of "manufacturer", in relation to extended service contracts, to include affiliates of the person who manufactures or produces the subject property. This act also modifies the definition of "motor vehicle extended service contract" to include contracts for specific services related to motor vehicles as listed in the act, and adds a definition for "road hazard". This act also allows for refunds to be credited to the account of an extended service contract holder. This act further amends who may effectuate a refund to an extended service contract holder.

SCS HCS HB 2140 – Relating to local sales tax on motor vehicles. (See Taxation and Revenue)

SS SCS HCS HB 2376 – Relating to construction regulation. (See Local Government Law)

SS SCS HCS HB 2380 – Relating to license plates. (Signed 7/1/16)

LOCAL LOG TRUCKS (301.010) – This act modifies the definition of "local log truck" by removing a section to Title 23 of the U.S. Code, and replacing it with a reference to 23 U.S.C Section 103, as amended.

This provision is identical to a provision contained in HB 1988 (2016) and HCS/HB 2757 (2016).

PERMANENT TRAILER REGISTRATION (301.067) – This act removes the requirement that a trailer or semi-trailer must be coupled to a towing vehicle in a particular manner in order to be eligible for permanent registration. Further, this act changes the supervising department for such registration from the Motor Carrier and Railroad Safety Division within the Department of Economic Development to the Highways and Transportation Commission within the Department of Transportation.

ADVISORY COMMITTEE TO THE DEPARTMENT OF REVENUE (301.125 & 301.130) - This act establishes an advisory committee for the Department of Revenue to develop uniform designs and common colors for license plates, including a design that commemorates the bicentennial of Missouri. The advisory committee shall be composed of the Director of Revenue or his or her designee, the Superintendent of the Highway Patrol, the Correctional Enterprises Administrator, the Director of the Department of Transportation, the Executive Director of the State Historical Society of Missouri, and the chairs of the House and Senate transportation committees. The committee shall perform certain functions as set forth in this act, including implementing its final design of uniform license plates by January 1, 2017, at which time the committee shall dissolve. The Director of Revenue shall have the final design of the uniform license plate available for issuance to all license fee offices by January 1, 2019.

PERSONALIZED & SPECIAL LICENSE PLATES (301.130) – Currently, owners of motor vehicles other than those in excess of 12,000 or 18,000 pounds may apply for certain personalized and special license plates. This act changes this weight threshold to 24,000 pounds.

CONGRESSIONAL MEDAL OF HONOR, RETIRED MILITARY, 4-H, & DISABLED AMERICAN VETERAN LICENSE PLATES (301.145, 301.441, 301.481, 301.3061)

VIETNAM VETERAN & WORLD WAR II LICENSE PLATES (301.457 & 301.465)

MISSOURI JUNIOR GOLF FOUNDATION LICENSE PLATE (301.473)

MISSOURI BOYS & GIRLS STATE SPECIALTY LICENSE PLATES (301.3173)

Veterans and Military Law

HCS SCS SB 814 – Relating to income tax deductions for active duty military personnel. (Signed 6/28/16)

TAX DEDUCTION (143.174) – Under this act, after January 1, 2016, any income earned as compensation for being a member of the active duty component of the armed forces may be deducted from the person's Missouri adjusted gross income to determine that individual's Missouri taxable income. If filing a combined return with a spouse, active duty income may be deducted from their Missouri combined adjusted gross income to determine their Missouri taxable income.

SCS SB 968 – Relating to tuition rates for members of the military. (Signed 6/13/16)

IN-STATE TUITION FOR NATIONAL GUARD AND RESERVE MEMBERS (173.1153) - This act allows current members of the Missouri National Guard and members of a reserve component of the Armed Forces of the United States to receive in-state residency status for the purposes of tuition at any public four-year institution of higher education, or in-district residency status for any two-year public institution, as described in the act.

RETURNING HEROES' EDUCATION ACT (173.900) - This act also modifies the Missouri Returning Heroes' Education Act. Currently, the tuition limitation authorized by the Missouri Returning Heroes' Education Act is applied after all other federal and state aid for which the veteran is eligible has been applied. This act applies the tuition limitation before all other aid. This act also repeals a provision that limits the amount of aid a veteran shall receive to the actual cost of attendance.

WARTIME VETERANS SURVIVORS GRANT (173.234) - The Wartime Veteran's Survivor Grant program sunset in 2014. This act reauthorizes the program, which provides higher education financial aid to the spouses and children of wartime veterans. This provision shall sunset on August 28, 2020, unless reauthorized by the General Assembly. This provision contains an emergency clause.

2016 BAR INPUT ON SELECTED BILLS

N.B.: Unless otherwise noted, the position taken by the Executive Committee or Board of Governors relates to the introduced bill, rather than subsequent versions.

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
HB 1388 (Roeber) – Relating to the 16th Judicial Circuit.	**In scope. Support.** Statutory change to court operations is intended to improve the administration of justice.
HB 1404 (Kirkton) – Relating to the 911 Good Samaritan Act.	**In scope. No position.** Share comments, particularly drafting-related concerns.
HB 1408 (White) – Relating to the Law Enforcement Technology Advancement Fund.	**In scope. Oppose.** Share comments and court costs resolution.
HB 1409 (White) – Relating to the court costs in the 29th Judicial Circuit.	**In scope. Oppose.** Share comments and court costs resolution.
HB 1431 (Sommer) – Relating to sentencing of illegal aliens.	**In scope. Oppose.** Share comments.
HB 1433 (Koenig) – Relating to guardianships.	**In scope. No position.** Share comments. Note that this section essentially duplicates the existing §475.024, RSMo.
HB 1436 (Kelley) – Relating to victim impact programs for driving while intoxicated offenders.	**In scope. No position.** Share comments, particularly concerns relating to a mandate on the courts to require completion of a program where such programs either do not exist in many parts of the state, or are insufficient.
HB 1454 (Butler) – Relating to overdue property fines.	**In scope. No position.** Share comments.
HB 1461 (Butler) – Relating to state debt owed by noncustodial parents.	**In scope. Support concept** of assisting individuals who are delinquent in child support payments to obtain gainful employment, engage with their children, and take financial responsibility in exchange for limited immunity from prosecution for criminal nonsupport.
HB 1519 (Ellington) – Relating to the expungement of certain criminal records.	**In scope. Support the concept** of expungement of certain offenses in appropriate cases, as in Bar-drafted legislation in Senate Bill 588 / House Bill 1555.
HB 1520 (Ellington) – Relating to peace officers.	**In scope. No position.** Share comments.
HB 1521 (Ellington) – Relating to written consent to search vehicles.	**In scope. Support concept** of adequate due process as it relates to consensual searches.
HB 1523 (Ellington) – Relating to eyewitness identification procedures.	**In scope. No position.** Support concept of adequate due process in criminal justice system.
HB 1524 (Ellington) – Relating to expungement of certain records.	**In scope. Support the concept** of expungement of certain offenses in appropriate cases, as in Bar-drafted legislation in Senate Bill 588 / House Bill 1555.
HB 1549 (Neely) – Relating to the termination of child support obligation.	**In scope. No position.** Share comments.

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
HB 1550 (Neely) – Relating to violations of said child custody judgments.	**In scope. Support concept** of ensuring that parties to child custody cases are aware of all options available to them in enforcement of a parenting plan. Share comments.
HB 1551 (Neely) – Relating to child custody orders.	**In scope. Oppose** to the extent that it affects the effective and efficient operation of the legal system within the realm of child custody and support cases. Share comments.
HB 1555 (Mitten) – Relating to petitions for the expungement of records.	**Drafted by the Criminal Law Drafting Subcommittee and approved by the Board of Governors as Bar-drafted legislation**
HB 1560 (McCann Beatty) – Relating to the appointment of a special prosecutor in certain officer-involved incidents.	**In scope. No position.** Share comments.
HB 1569 (Lynch) – Relating to immunity for persons who seek medical assistance for a drug or alcohol overdose.	**In scope. No position.** Share comments, particularly drafting-related concerns.
HB 1570 (Lynch) – Relating to surcharges for drug-related offenses.	**In scope. Oppose.** Share comments and court costs resolution.
HB 1584 (Hill) – Relating to private probation services for misdemeanor offenders.	**In scope. No position.** Share comments relating to drafting concerns and the intersection of the bill with the Revised Criminal Code (prior Bar-drafted legislation).
HB 1585 (Hill) – Relating to videoconferencing for parole hearings.	**In scope. Oppose.** Share comments, particularly concerns relating to equipment problems, and the opportunity for a face-to-face meeting with the parole board.
HB 1620 (Kelley) – Relating to family law proceedings.	**In scope. No position.**
HB 1622 (Kelley) – Relating to the sex offender registry.	**In scope. No position.** Note concerns that this legislation would impose a new duty upon court without specifying consequences to a convicted offender's case.
HB 1641 (Hicks) – Relating to the detention of persons under the age of seventeen in adult facilities.	**In scope. Support concept of age-appropriate treatment of juvenile offenders.**
HB 1642 (Hicks) – Relating to requirements of courts in certain juvenile criminal cases.	**In scope. No position.** Share comments.
HB 1649 (Haahr) – Relating to immunity from civil liability.	**In scope. No position.** Share comments.
HB 1676 (Corlew) – Relating to expert witnesses.	**In scope. No position.** Provide all substantive comments. **(Board of Governors)**

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
HB 1680 (Solon) – Relating to immunity from civil liability.	**In scope. No position.** Share comments.
HB 1685 (Fitzwater) – Relating to circuit court marshals.	**In scope. Support concept** of promoting safety and well-being of citizens utilizing courts, judicial personnel, and members of bar by ensuring adequate courthouse security.
HB 1692 (Chipman) – Relating to the admissibility of municipal offenses to prove credibility.	**In scope. Oppose** based on treatment of convictions of "municipal offenses" as coterminous with "criminal convictions," given well-established law treating violations of municipal ordinances as civil actions and procedural due process afforded in municipal courts, as well as fact that municipal courts in Missouri are not courts of record.
HB 1705 (Haahr) – Relating to the Civil Litigation Funding Act.	**In scope. Oppose as drafted.** Share concerns regarding the lack of prohibition of multiple loans; concerns relating to attorney-client communication; potential interference with attorney-client relationship; lien priority; and attorney liability.
HB 1706 (Dugger) – Relating to the Consumer Legal Funding Model Act.	**In scope. Oppose as drafted.** Share concerns regarding the lack of prohibition of multiple loans; concerns relating to attorney-client communication; potential interference with attorney-client relationship; lien priority; and attorney liability.
HB 1718 (Corlew) – Relating to the Uniform Arbitration Act.	**In scope. Oppose** because it affects judicial authority with regard to the enforceability of arbitration provisions.
HB 1748 (Lynch) – Relating to legal representation of corporations in eviction proceedings.	**In scope. Oppose** because the legislation would allow the unauthorized practice of law by corporations.
HB 1759 (Miller) – Relating to circuit judges in the 26th Judicial Circuit.	**In scope. Support concept** of providing adequate resources to courts, based on objective criteria and need, to allow for effective administration of justice and fulfillment of state's constitutional obligations.
HB 1765 (Cornejo) – Relating to exempting property from attachment.	**In scope. No position** on merits of whether particular items in bill should be exempt from attachment. **Support concept** of clearly defined list of exemptions in statute, to promote uniformity in its application.
HB 1789 (Rone) – Relating to public administrator staff.	**In scope. Support concept** of providing sufficient funding for all parts of Missouri's justice system.
HB 1793 (Morris) – Relating to the division of multicounty judicial circuits.	**In scope. Support concept** of adequate resources for the judiciary.
HB 1797 (Zerr) – Relating to state debt owed by noncustodial parents.	**In scope. Support concept** of assisting individuals who are delinquent in child support payments to obtain gainful employment, engage with their children, and take financial responsibility in exchange for limited immunity from prosecution for criminal nonsupport.

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
HB 1803 (Pace) – Relating to expungement of certain criminal records.	**In scope. Support the concept** of expungement of certain offenses in appropriate cases, as in Bar-drafted legislation in Senate Bill 588 / House Bill 1555.
HB 1812 (Hicks) – Relating to juvenile courts.	**In scope. No position.** Share comments.
HB 1818 (Fraker) – Relating to maintenance orders.	**In scope. No position.** Share comments.
HB 1822 (McGaugh) – Relating to the release of certain adoption records.	**In scope. No position.** Share comments.
HB 1824 (McGaugh) – Relating to requiring the state auditor to report on the costs of administering the death penalty.	**In scope. Support concept** of obtaining sufficient information for state policymakers to properly evaluate the administration of capital punishment in Missouri. Share comments.
HB 1827 (McGaugh) – Relating to livestock trespass.	**In scope. No position.** Share comments.
HB 1831 (McGaugh) – Relating to support and education of protectees and dependents.	**In scope. No position.** Share comments.
HB 1843 (Gardner) – Relating to expungement of certain records.	**In scope. Support the concept** of expungement of certain offenses in appropriate cases, as in Bar-drafted legislation in Senate Bill 588 / House Bill 1555.
HB 1860 (Cross) – Relating to representation in matters relating to tax assessments.	**In scope. Oppose.** Share comments.
HB 1861 (Cross) – Relating to tenant evictions.	**In scope. No position.** Share comments.
HB 1862 (Cross) – Relating to landlords and tenants.	**In scope. No position.** Share comments.
HB 1877 (Wood) – Relating to the Children's Division.	**In scope. No position**. Share comments.
HB 1884 (Ellington) – Relating to adoption.	**In scope. Support concept** of sufficient due process protections for putative fathers.
HB 1889 (Dogan) – Relating to petitions for the expungement of records.	**In scope. Support the concept** of expungement of certain offenses in appropriate cases, as in Bar-drafted legislation in Senate Bill 588 / House Bill 1555.
HB 1963 (Lair) – Relating to duties of the Board of Probation and Parole.	**In scope. No position.**
HB 1995 (Cornejo) – Relating to judicial proceedings.	**In scope. No positions** on merits of bill itself. **Support concept** of developing a statutory standard that complies with United States Supreme Court precedent as set forth in *Miller v. Alabama*, 132 S. Ct. 2455 (2012), and related cases.
HB 1996 (Cornejo) – Relating to municipal courts.	**In scope. Support** statutory amendments necessary to complete and implement Bar-drafted and Bar-sponsored Revised Criminal Code.

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
HB 1999 (White) – Relating to the State Legal Expense Fund.	**In scope. No position.** Share comments.
HB 2034 (McGaugh) – Relating to the preparation of property.	**Drafted by the Real Estate Practice and Procedure (Property Law) Committee and approved by the Board of Governors as Bar-drafted legislation**
HB 2035 (Higdon) – Relating to court costs.	**In scope. Oppose** on basis of The Missouri Bar's general position in opposition to legislation which would increase court costs to fund projects and activities not directly related to administration of justice. Share court costs resolution. **Support concept** of clarifying and making uniform state's laws relating to court costs and encourage General Assembly and other interested stakeholders to further study this important issue affecting administration of justice.
HB 2105 (Cornejo) – Relating to estate planning.	**Drafted by the Probate and Trust Division and approved by the Board of Governors as Bar-drafted legislation**
HB 2106 (Cornejo) – Relating to trusts and estates (Missouri Uniform Powers of Appointment Act).	**Drafted by the Probate and Trust Division and approved by the Board of Governors as Bar-drafted legislation**
HB 2107 (McGaugh) – Relating to evidence for the cost of medical treatment.	**In scope. No position.** Share comments.
HB 2128 (Hurst) – Relating to the abolishment of the doctrine of adverse possession.	**In scope. Oppose** elimination of long-standing legal doctrine of adverse possession.
HB 2133 (Franklin) – Relating to notification rights of victims.	**In scope. Support concept** of amending statutory notification rights of crime victims, pursuant to Article I, Section 32 of Missouri Constitution, to afford those procedural protections to victims of domestic violence.
HB 2191 (May) – Relating to criminal nonsupport.	**In scope. Support concept** of expungement for certain offenses in appropriate cases, as in Bar-drafted legislation in Senate Bill 588 / House Bill 1555.
HB 2202 (Haefner) – Relating to the records of victims of sexual offenses.	**In scope. No position.** Support concept of limiting access to records of victims of sexual offenses, but in a manner that includes constitutional safeguards and avoids conflicts between the demands of child protection, due process, and professional and ethical standards.
HB 2210 (Barnes) – Relating to the Public Service Commission.	**In scope. Support concept** of clearly stating the jurisdiction of the Public Service Commission in statute.
HB 2235 (Corlew) – Relating to driver's licenses compliant with the federal REAL ID Act of 2005.	**In scope** only with respect to its practical application to access to courts, including ability of attorneys and citizens to enter federal courts and other government buildings. **Support concept** of state of Missouri taking measures with respect to federal identification requirements to safeguard access of Missouri citizens to federal courts.

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
HB 2242 (Cornejo) – To amend Supreme Court Rule 52.08, for the purpose of prohibiting political subdivisions from participating in class actions.	**In scope. No position.**
HB 2262 (Jones) – Relating to use of restraints on juveniles.	**In scope. No position** on legislation. **Support concept** of safeguarding the due process rights of juvenile offenders with respect to use of physical restraints.
HCS **HB 2332 (Corlew) –** Relating to criminal offenses.	**Support** statutory amendments necessary to complete and implement Bar-drafted and Bar-sponsored Revised Criminal Code. **No position** on provisions unrelated to the completion and implementation of the Revised Criminal Code, unless provision relates to a bill introduced this session on which the Executive Committee has previously adopted a position.
HB 2364 (Rhoads) – Relating to arrest and incident records.	**In scope. No position**. Share concern that some of information in closed records could be necessary for purposes of potential civil actions relating to conduct described in records, hampering ability of potential plaintiffs and their attorneys to pursue causes of action.
HB 2367 (McGaugh) – Relating to the expiration of certain funds.	**In scope. Support** the continuation of these long standing funding mechanisms for court automation and the state's legal aid services, both of which are integral to the efficient administration of and access to justice in Missouri.
HB 2433 (McGaugh) – Relating to prosecuting attorneys.	**In scope. Support concept** of shared prosecutor provisions that provide flexibility and efficiency to counties and prosecutors. **Support** provisions that increase the salaries of Missouri's part-time prosecutors.
HB 2458 (Mathews) – Relating to punitive damages.	**In scope. Oppose**, based on concerns about detrimental effect that provisions relating to exclusive jurisdiction of Attorney General to prosecute punitive damage phases of civil trials would have on representation of plaintiffs in civil litigation.
HB 2460 (Neely) – Relating to findings by courts for dissolution of marriage proceedings.	**In scope. Oppose.**
HB 2502 (McGaugh) – Relating to the Designated Health Care Decision-Maker Act.	**In scope. Support** enactment of Designated Health Care Decision-Maker Act. **No position** on negotiated provisions relating to withholding or withdrawal of health care, nutrition or hydration. **Support** efforts to ensure that the language relating to abuse reports conforms to and complies with existing state and federal law.
HB 2506 (Jones) – Relating to commercial receiverships.	**Drafted by the Commercial Law Committee and approved by the Board of Governors as Bar-drafted legislation.**
HB 2590 (Plocher) – Relating to the Uniform Commercial Code.	**In scope. Support concept** of updating the Missouri Uniform Commercial Code to align it the newest version of the Uniform Commercial Code.

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
HJR 62 (Pogue) – Relating to state sovereignty.	**In scope. Oppose**.
Orders of Rulemaking (Attorney General's Office) **15 CSR 60-8.100** – Threatening to File or Filing Suit on Certain Consumer Debt **15 CSR 60-8.110 –** Reaffirmation of Consumer Debt Without Valuable Consideration	**In scope. No position.** Share comments.
SB 572 (Schmitt) – Relating to municipal ordinance violations.	**In scope. Support concept** of reasonable limitations on revenue derived from fines for municipal ordinance violations where such limitations contribute to proper status of municipal courts as impartial tribunals rather than revenue generators.
SB 576 (Keaveny) – Relating to powers of appointment (Missouri Uniform Powers of Appointment Act).	**Drafted by the Probate and Trust Division and approved by the Board of Governors as Bar-drafted legislation**
SB 577 (Keaveny) – Relating to estate planning.	**Drafted by the Probate and Trust Division and approved by the Board of Governors as Bar-drafted legislation**
SB 578 (Keaveny) – Relating to commercial receiverships.	**Drafted by the Commercial Law Committee and approved by the Board of Governors as Bar-drafted legislation.**
SB 585 (Wasson) – Relating to the division of multicounty judicial circuits.	**In scope. Support concept** of adequate resources for the judiciary.
SB 588 (Dixon and Curls) – Relating to petitions for the expungement of records.	**Drafted by the Criminal Law Drafting Subcommittee and approved by the Board of Governors as Bar-drafted legislation**
SB 590 (Dixon) – Relating to crime.	**In scope. No position.** Support concept of developing a statutory standard for first degree murder penalties that complies with United States Supreme Court precedent as set forth in *Miller v. Alabama* and related cases.
SB 591 (Parson) – Relating to expert witnesses.	**In scope. No position.** Provide all substantive comments. **(Board of Governors)**
SB 603 (Curls) – Relating to expungement of records.	**In scope. Support the concept** of expungement of certain offenses in appropriate cases, as in Bar-drafted legislation in Senate Bill 588 / House Bill 1555.
SB 611 (Emery) – To amend Supreme Court Rule 55.03, for the purpose of modifying procedures for filing a motion for sanctions.	**In scope. Oppose.** Proposed amendments could interfere with court's inherent right and power to discipline attorneys as officers of court.
SB 618 (Wallingford) – Relating to the detention of persons under the age of seventeen in adult facilities.	**In scope. Support concept** of age-appropriate treatment of juvenile offenders.
SB 652 (Keaveny) – Relating to requiring the state auditor to report on the costs of administering the death penalty.	**In scope. Support concept** of obtaining sufficient information for state policymakers to properly evaluate the administration of capital punishment in Missouri. Share comments.

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
SB 658 (Wasson) – Relating to the county in which certain offenses are prosecuted.	**In scope. No position.** Share comments.
SB 661 (Dixon) – Relating to the use of deadly force by law enforcement officers.	**In scope. Support the concept** of clarifying state statutes to accurately reflect constitutional standards established by the United States Supreme Court for the use of deadly force by law enforcement.
SB 663 (Dixon) – Relating to the sole purpose of restructuring the Missouri Criminal Code.	**In scope. Support** as a continuation and completion of Bar-drafted Revised Criminal Code.
SB 674 (Curls) – Relating to the duties of the Board of Probation and Parole.	**In scope. No position.** Share comments relating to separation of powers with respect to the Governor's authority to grant clemency.
SB 678 (Emery) – Relating to electronic monitoring of persons who have been charged with or found guilty of violating protection orders.	**In scope. Oppose** with respect to the electronic monitoring of persons charged but not convicted, as well as special immunity for suppliers of electronic monitoring.
SB 681 (Cunningham) – Relating to probation violations.	**In scope. No position.** Share comments.
SB 684 (Wallingford) – Relating to requirements of the court in certain juvenile criminal cases.	**In scope. No position.** Share comments.
SB 685 (Wallingford) – Relating to juvenile courts.	**In scope. No position.** Share comments.
SB 704 (Munzlinger) – Relating to the transparency and accountability of public funds.	**In scope. In scope. Oppose.** Disclosures required by proposed legislation could involve potential violations of attorney-client privilege and attorney's duty of confidentiality relating to representation of client as provided in Supreme Court Rule 4.16.
SB 705 (Dixon) – Relating to the state public defender system.	**In scope. Support.** Proposed changes support continued viability and efficient operations of MSPD.
SB 707 (Dixon) – Relating to prosecuting attorneys.	**In scope. Support concept** of shared prosecutor provisions that provide flexibility and efficiency to counties and prosecutors. **Support** provisions that increase the salaries of Missouri's part-time prosecutors.
SB 718 (Emery) – Relating to impeachment trials.	**In scope. Oppose.** The change proposed in this legislation would open the impeachment process to undue political pressures.
SB 726 (Nasheed) – Relating to the use of deadly force by law enforcement officers.	**In scope. Support concept** of clarifying state statutes to accurately reflect constitutional standards established by the United States Supreme Court for the use of deadly force by law enforcement.
SB 733 (Dixon) – Relating to judicial personnel.	**In scope. Support**. Provides statutory mechanism to allocate judicial resources based on objective criteria and need, allowing for effective administration of justice and fulfillment of state's constitutional obligations.

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
SB 735 (Dixon) – Relating to office space for the state public defender.	**In scope. Support**. Represents type of continuous revision necessary to maintain clear, current and consistent statutes.
SB 736 (Parson) – Relating to joint and several liability.	**In scope. Oppose section 537.067.4** because section is vague and unclear as drafted, and would dissuade early settlements.
SB 737 (Parson) – Relating to the Board of Administrative Appeals.	**In scope. Oppose.** Affects the administration of justice to the extent that it affects the efficiency of judicial review of administrative action.
SB 741 (Chappelle-Nadal) – Relating to actions committed by government officials.	**In scope. Support concept** of clarifying state statutes to accurately reflect constitutional standards established by the United States Supreme Court for the use of deadly force by law enforcement.
SB 742 (Curls) – Relating to abandoned real property in certain cities.	**In scope. Oppose § 82.462.2**, which creates a special immunity. Share comments.
SB 745 (Romine) – Relating to unlawful discriminatory practices.	**In scope only with respect to §213.101. Oppose section 213.101. No position on remaining provisions of bill.** Lack of clarity and ambiguous terms in proposed section raises significant concerns about ability of courts to give effect to legislative intent through statutory construction and judicial interpretation.
SB 746 (Romine) – Relating to arbitration agreements between employers and at-will employees.	**In scope. Oppose** because it affects judicial authority with regard to the enforceability of arbitration provisions.
SB 765 (Schmitt) – Relating to misconduct in the administration of justice.	**In scope. No positions.** Share comments.
SB 785 (Schaefer) – Relating to the Civil Litigation Funding Act.	**In scope. Oppose as drafted.** Share concerns regarding the lack of prohibition of multiple loans; concerns relating to attorney-client communication; potential interference with attorney-client relationship; lien priority; and attorney liability.
SB 793 (Richard) – Relating to civil actions.	**In scope. Oppose proposed section 407.012.1** to the extent that it directs state courts to apply administration interpretations of federal law by a federal agency in their judicial interpretation of state statutes.
SB 801 (Sater) – Relating to guardianships.	**In scope. No position.** Share comments. Note that this section essentially duplicates the existing §475.024, RSMo.
SB 812 (Keaveny) – Relating to the law library surcharge.	**In scope. No position.** Support concept of clarification and uniformity of laws relating to court costs and encourage General Assembly and other interested stakeholders to further study this important issue affecting access to justice.
SB 828 (Sifton) – Relating to the preparation of property descriptions.	**Drafted by the Real Estate Practice and Procedure (Property Law) Committee and approved by the Board of Governors as Bar-drafted legislation**

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
SB 840 (Keaveny) – Relating to the administration of small probate estates.	**Drafted by the Probate and Trust Division and approved by the Board of Governors as Bar-drafted legislation**
SB 841 (Keaveny) – Relating to the powers of trust protectors.	**Drafted by the Probate and Trust Division and approved by the Board of Governors as Bar-drafted legislation**
SB 844 (Parson) – Relating to livestock trespass.	**In scope. No position.** Share comments.
SB 847 (Emery) – Relating to evidence for the cost of medical care and treatment.	**In scope. No position.** Share comments.
SB 890 (Emery) – Relating to victim impact programs for persons found guilty of driving while intoxicated.	**In scope. No position.** Share comments, particularly concerns relating to a mandate on the courts to require completion of a program where such programs either do not exist in many parts of the state, or are insufficient.
SB 893 (Munzlinger) – Relating to products liability.	**In scope. No position.** Share comments.
SB 894 (Munzlinger) – Relating to private nuisance actions.	**In scope. No position.** Share comments, particularly questions concerning drafting issues.
SB 902 (Silvey) – Relating to driver's licenses compliant with the federal REAL ID Act of 2005.	**In scope** only with respect to its practical application to access to courts, including ability of attorneys and citizens to enter federal courts and other government buildings. **Support concept** of state of Missouri taking measures with respect to federal identification requirements to safeguard access of Missouri citizens to federal courts.
SB 916 (Schaefer) – Relating to the protection of religious organizations under the Missouri Human Rights Act.	**In scope. No position.** Share comments.
SB 918 (Wallingford) – Relating to the use of restraints on juveniles.	**In scope. No position** on legislation. **Support concept** of safeguarding the due process rights of juvenile offenders with respect to use of physical restraints.
SB 929 (Dixon) – Relating to jury instructions on included offenses.	**In scope. No position** on merits of bill. **Oppose** proposed subsection 5 of section 556.046 as drafted.
SB 942 (Nasheed) – Relating to the expungement of criminal records.	**In scope. Support the concept** of expungement of certain offenses in appropriate cases, as in Bar-drafted legislation in Senate Bill 588 / House Bill 1555.
SB 963 (Wallingford) – Relating to the Children's Division.	**In scope. No position**. Share comments.
SB 971 (Dixon) – Relating to the records of victims of sexual offenses.	**In scope. No position.** Support concept of limiting access to records of victims of sexual offenses, but in a manner that includes constitutional safeguards and avoids conflicts between the demands of child protection, due process, and professional and ethical standards.

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
SB 979 (Hegeman) – Relating to the Children's Division.	**In scope. No position.** Share comments.
SBs 905 & 992 (Sifton and Brown) – Relating to the Uniform Interstate Family Support Act.	**In scope. Support** amending state law to fully implement the Uniform Interstate Family Support Act.
SB 1004 (Onder) – To amend Supreme Court Rule 52.08, for the purpose of prohibiting political subdivisions from participating in certain class actions.	**In scope. No position.**
SB 1012 (Dixon) – Relating to court surcharges collected for the construction and maintenance of judicial facilities.	**In scope. No position.** Support concept of clarification and uniformity of laws relating to court costs and encourage General Assembly and other interested stakeholders to further study this important issue affecting access to justice.
SB 1013 (Dixon) – Relating to criminal procedure.	**In scope. No position**.
SB 1014 (Dixon) – Relating to admission of chemical test results in intoxication related proceedings.	**In scope. No position** on merits of bill. **Oppose** proposed subsection 7 of section 577.037 as drafted.
SB 1031 (Sater) – Relating to the Missouri Child Protection Registry.	**In scope** only with respect to interaction with prior Bar-drafted Revised Criminal Code. **No position.** Share any technical drafting comments.
SB 1115 (Emery) – Relating to child custody.	**In scope. Oppose.**
SCR 45 (Dixon) – Relating to the publishing of the Revised Statutes of Missouri.	**In scope. Support** general republication of Missouri Revised Statues, pursuant to Article III, Section 34, of Missouri Constitution, for benefit of general public and legal system.
SJR 24 (Emery) – Relating to impeachment trials.	**In scope. Oppose.** The change proposed in this legislation would open the impeachment process to undue political pressures.
SJR 30 (Hegeman) – Relating to the nonpartisan court plan.	**In scope. Oppose.** Share comments.

Bill Number and Sponsor	Missouri Bar Board of Governors / Executive Committee Position
Other Revised Criminal Code-related Bills (SEE BELOW) **SB 612 (Cunningham)** **SB 614 (Cunningham)** **SB 617 (Wallingford)** **SB 624 (Libla)** **SB 689 (Romine)** **SB 721 (Romine) / HB 1730 (Reiboldt)** **SB 750 (Sifton)** **SB 775 (Schaefer)** **SB 790 (Parson) / HB 1594 (Crawford)** **SB 797 (Pearce) / HB 1786 (Pike)** **SB 804 (Onder)** **HB 1396 (McCreery)** **HB 1437 (Mims)** **HB 1497 (Walton Gray)** **HB 1597 (Newman)** **HB 1629 (Cookson)** **HB 1638 (Kelley)** **HB1653 (McDaniel)** **HB1689 (Chipman)** **HB1693 (Chipman)** **HB1715 (Wilson)** **HB1725 (Kidd)** **HB1762 (Miller)**	**In scope only to the extent that they incorporate sections included or affected by the Revised Criminal Code (prior Bar-drafted legislation).** Share restatement of principles and drafting guidelines for criminal offense statutes embodied in Revised Criminal Code, as well as other technical drafting comments or concerns on matters directly related to the implementation of the Revised Criminal Code on January 1, 2017.

Legislative Digest
The Missouri Bar
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Missouri Bar Protest and Dues Refund Procedure

Any member of The Missouri Bar, who believes that a specific activity of The Missouri Bar supported by enrollment fees is outside the proper scope of The Missouri Bar, may direct a letter to the Executive Director stating what activity is challenged.

Upon receipt of the member's letter, the Executive Director shall calculate the portion of the member's enrollment fee reasonably in dispute, place that amount in an interest-bearing account, advise the member of the calculated amount of his or her enrollment fee which supports the activity, and how this amount was calculated. Then, the Executive Director shall refer the matter to the Board of Governors or its Executive Committee for consideration.

For further information, contact Sebrina A. Barrett, Executive Director of The Missouri Bar at 573-635-4128.